

**FINAL REPORT
PUBLIC ACCESS AND ACCOUNTABILITY LEGISLATION
CONNECTICUT GENERAL ASSEMBLY
2025 REGULAR SESSION**

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Summary of Legislative Session:

The 2025 legislative session – the 50th anniversary of the session that saw the initial passage of the Freedom of Information Act – was replete with proposals that would have restricted access to important public records, including new exemptions to disclosure, as well as the reintroduction of legislation from past years. Fortunately, most of these proposals were defeated, or the Freedom of Information Commission staff worked with proponents to lessen the impact of the bills. Once again there was little legislation passed that would increase access to public records, and for the fourth year in a row, a bill encapsulating recommendations submitted by the FOI Commission to the legislature did not advance. For a more detailed summary of these bills and others of note, please see below:

BILLS PASSED – FAVORABLE RESULTS

S.B. 1541; P.A. 25-161, AN ACT CONCERNING THE OFFICE OF THE CORRECTION OMBUDS, DISCLOSURE OF DISCIPLINARY MATTERS OR ALLEGED MISCONDUCT BY A DEPARTMENT OF CORRECTION EMPLOYEE, USE OF FORCE AND BODY CAMERAS IN CORRECTIONAL FACILITIES AND CRIMINAL HISTORY RECORDS.

Senate Bill 1541 (Section 4) prohibits collective bargaining agreements or arbitration awards from containing provisions that supersede the disclosure requirements of the Freedom of Information Act and shield from public disclosure records of “disciplinary matters or alleged misconduct by a Department of Correction employee” and “any disciplinary action based on a violation of the administrative directives contained in the personnel file of an officer.” The FOI Commission submitted testimony in support of the proposal, noting that in addition to the legitimate public interest in alleged misconduct of public employees, in 2020 the General Assembly had passed a broader proposal prohibiting any collective bargaining agreement or arbitration award from containing provisions that would allow records of “disciplinary matters or alleged misconduct” to be withheld. Such bill also prohibited any collective bargaining agreement between the state and the Division of State Police within the Department of Emergency Services and Public Protection from withholding records of “any disciplinary action based on a violation of the code of ethics contained in the personnel file of a sworn member of

said division.” (See Public Act 20-1, An Act Concerning Police Accountability, Section 8) (2020 July Special Session).

Senate Bill 1541 passed the Judiciary and Appropriations Committees, as well as the Senate, the House (as amended) and the Senate once again. The Governor has signed Senate Bill 1541.

BILLS DEFEATED – UNFAVORABLE RESULTS

H.B. 6882, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE FREEDOM OF INFORMATION COMMISSION FOR REVISIONS TO THE FREEDOM OF INFORMATION ACT

House Bill 6882 consisted of recommendations submitted by the FOI Commission to the legislature. Such recommendations proposed to revise the following provisions in the FOI Act: §1-200(11) and 1-218 (definition of “governmental function” and contracts in excess of \$2.5 million); §1-205(e) (training by the Commission); §1-210(b)(17) (education records exemption); §1-212(g) (hand-held scanner definition); §1-225(d) (electronic notice of special meetings to board members); and §1-210(d) (appeals brought for denial of access to public records under §1-210(b)(19) (safety and security exemption). House Bill 6882 is the fourth year in a row that the Commission has submitted such recommendations.

The bill was unanimously voted out of the Government Oversight Committee and passed the House 144-0 but died on the Senate calendar.

S.B., 1408, AN ACT REQUIRING A STUDY OF STATE AGENCY RESPONSE TIMES TO FREEDOM OF INFORMATION ACT REQUESTS.

Senate Bill 1408 would have required the Office of Policy and Management to conduct a study of state agency response times to Freedom of Information Act requests, providing its results to the legislature including a summary of average state agency response times, information about when unreasonable response times were the basis of a complaint filed with the FOI Commission and recommended legislation to address the study’s findings. The Commission testified in support of the proposal, noting that some state agencies have taken years to respond to records requests.

Senate Bill 1408 advanced out of the Government Oversight Committee but was not called for a vote in the Senate.

BILLS DEFEATED – FAVORABLE RESULTS

S.B. 1226, AN ACT ESTABLISHING AN EXEMPTION FROM DISCLOSURE FOR CERTAIN HIGHER EDUCATION RECORDS PERTAINING TO TEACHING OR RESEARCH UNDER THE FREEDOM OF INFORMATION ACT.

Senate Bill 1226 was the return of a proposal raised during the 2023 and 2024 legislative sessions that would have created a new exemption for records held by public institutions of

higher education “arising out of teaching or research.” Opponents of Senate Bill 1226 raised concerns about the broad confidentiality language and argued that such a proposal would exempt all records maintained or kept by all public higher education institutions in the state, except for financial records. In addition, opponents of the bill argued that existing statutes and case law addressed many of the concerns expressed by supporters of the bill. They also argued that there was great public interest in all teaching and research conducted at public higher education institutions, especially in significant (and potentially controversial) issues that require a high level of scrutiny and accountability and that are funded largely with public dollars.

During the last days of the session, an amendment (LCO 9974) was filed with the Senate proposing to make any public data or information arising out of teaching or research no longer a “public record,” except for financial records and records related to animal testing or research on animal subjects. The amendment was never called.

Senate Bill 1226 passed the Government Administration and Elections Committee for the third straight year but died on the Senate calendar.

S.B. 1516, AN ACT CONCERNING THE SECRETARY OF THE STATE'S RECOMMENDATIONS RELATED TO VOTING AND ELECTIONS IN THIS STATE.

Senate Bill 1516 (Section 23) sought to place strict limits on access to voter records. Specifically, it would have limited use of the information to “election-related, scholarly, journalistic, political or governmental purposes” and prohibited use for “any personal, private or commercial purpose” without defining any of those terms. The FOI Commission objected to this bill, which mirrored proposals that have been raised in past legislative sessions, as outlawing specific uses for public information sets a dangerous precedent. The legislation also raised constitutional issues by prohibiting reproduction of information in print, broadcast or on the internet.

Senate Bill 1516 was advanced by the Government Administration and Elections, Judiciary and Appropriations Committees but was not called for a vote in the Senate.

S.B. 1209, AN ACT PROHIBITING THE DISCLOSURE OF THE RESIDENTIAL ADDRESS OF PUBLIC SCHOOL TEACHERS UNDER THE FREEDOM OF INFORMATION ACT AND ESTABLISHING A TASK FORCE TO STUDY RESIDENTIAL ADDRESS DISCLOSURE EXEMPTIONS UNDER SAID ACT.

S.B. 1433, AN ACT EXEMPTING THE RESIDENTIAL ADDRESS OF EMPLOYEES OF THE OFFICE OF THE ATTORNEY GENERAL FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT.

H.B. 6850, AN ACT CONCERNING REVISIONS TO THE FREEDOM OF INFORMATION ACT CONCERNING THE NONDISCLOSURE OF THE ADDRESSES OF CERTAIN PUBLIC AGENCY EMPLOYEES.

The three bills listed above all sought to expand the prohibition on disclosure of residential addresses found in §1-217 of the Freedom of Information Act. Specifically, Senate Bill 1209

would have applied to public school teachers; Senate Bill 1433 would have applied to employees of the Attorney General's Office; and House Bill 6850 would have covered all employees of public agencies for which residency is not a requirement of employment. The FOI Commission has repeatedly argued that §1-217 offers very limited protection and should not be viewed as a cure for safety and privacy concerns. In addition, expanding §1-217 to cover all public agency employees would pose a burden on municipalities who would be responsible for identifying and redacting addresses that can be routinely located on the internet or found in public records that are not covered by §1-217.

Senate Bill 1209 was voted out of the Government Oversight Committee but died on the Senate Calendar. Senate Bill 1433 and House Bill 6850 were approved by the Government Administration and Elections Committee but died on the Senate and House calendars, respectively.

S.B. 1233, AN ACT EXEMPTING THE NAME AND ADDRESS OF AN INDIVIDUAL REPORTING AN ALLEGATION INVOLVING BIGOTRY OR BIAS AND OF THE ALLEGED OFFENDER FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT.

Senate Bill 1233 sought a new exemption from disclosure for the name and address of an individual reporting allegations involving bigotry or bias and of the alleged offender reported to a law enforcement agency or a database established by the Institute for Municipal and Regional Policy at UConn. The FOI Commission argued that although the proposal may have been well-intended, it was too broad and could lead to unintended consequences, including potentially providing confidentiality to offenders, even after an arrest or conviction. Additionally, existing statutes address concerns regarding safety and the disclosure of the identities of witnesses, minors and victims of certain crimes, as well as "uncorroborated allegations."

Senate Bill 1233 passed unanimously out of the Government Administration and Elections Committee but was not called for a vote in the Senate.

S.B. 1436, AN ACT CONCERNING POLICE AND DEPARTMENT OF CORRECTION DATA REPORTING REQUIREMENTS.

Senate Bill 1436 (Section 4) proposed a new exemption in the Freedom of Information Act for any record pertaining to a formal complaint against a police officer or correction officer "prior to such complaint being investigated and adjudicated by the proper legal authority." The FOI Commission argued that under the proposal, information about complaints of misconduct could be indefinitely withheld if an officer resigned or retired before an investigation was completed. Furthermore, the proposed legislation did not define what constituted an adjudication, or who the proper legal authority would be. The Commission noted that the legislature had recently overturned union contracts that provided for the withholding of personnel file information, including complaints and disciplinary information, when there is no finding of wrongdoing, as a means of providing greater police accountability. (See Public Act 20-1, An Act Concerning Police Accountability, Section 8).

Senate Bill 1436 was unanimously approved by the Judiciary Committee and the Senate but died on the House calendar.

H.B. 7217, AN ACT CONCERNING VARIOUS REVISIONS TO THE EDUCATION STATUTES.

House Bill 7217 (Section 5) would have created a special privilege for school superintendents to attend closed executive sessions of boards of education upon invitation of the board, without limitation. Under existing law, any public agency, including boards of education, may invite into an executive session any person to present testimony or opinion. The FOI Commission argued that the law has worked well as written for 50 years and it was unnecessary to create a special privilege for superintendents; and raised the question of what would prevent town managers, police chiefs or other high-ranking public officials from seeking the same privilege.

House Bill 7217 was voted out of the Education Committee but did not get called for a vote in the House.

S.B. 1463, AN ACT CONCERNING DISCLOSURES, PAYMENTS AND REVENUE TRANSFERS BY THE CONNECTICUT LOTTERY CORPORATION.

Senate Bill 1463 (Section 7) sought to prohibit from disclosure “the name and address of any person who redeems a winning lottery ticket, claims or is paid a winning wager from online sports wagering or retail sports wagering or is paid a prize from a fantasy contest.” The FOI Commission opposed the proposal, noting in its testimony that access to such information ensures that winnings are distributed fairly and guards against wrongdoing in the system. Blanket anonymity for winners would have also put Connecticut in the minority among states as just 11 states, none in New England, allow all winners of state lottery prizes to remain anonymous.

Senate Bill 1463 was passed by the General Law Committee but died on the Senate calendar.

S.B. 1288, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION.

Senate Bill 1288 (Section 6), as originally introduced, proposed a new exemption for “the enrollment lottery algorithm and placement protocols used by the Regional School Choice Office within the Department of Education to place students in schools and programs” pursuant to several state statutes and the Supreme Court decision in *Sheff v. O’Neill*, 238 Conn. 1 (1996). The legislation was a direct attempt to overturn a final decision issued by the FOI Commission that was had been appealed by the state Department of Education (SDE). The Commission’s final decision ordered the SDE to release to a requester the “placement protocol” the department developed to meet socioeconomic diversity goals for student placement in choice schools.¹ This protocol consists of a series of rules regarding the weight to give each placement factor (e.g., home address, school preference, sibling enrollment, socioeconomic factors). In addition to

¹ Docket #FIC 2022-0255; *Solow-Niederman v. Commissioner, State of Connecticut, Department of Education, et.al.* (June 7, 2023).

arguing that the legislature should allow the legal process to proceed before considering taking action, the Commission argued that there was a strong public and legislative interest in how SDE selects the student beneficiaries of open choice programs and whether the state's efforts to meet its court-ordered mandate under *Sheff v. O'Neill* are fair, reasonable and effective.²

Senate Bill 1288 was approved by the Education Committee with substitute language that removed Section 6. The bill died on the Senate calendar.

NEUTRAL

H.B. 7066; P.A. 25-1, AN ACT CONCERNING INTERACTIONS BETWEEN SCHOOL PERSONNEL AND IMMIGRATION AUTHORITIES, THE PURCHASE AND OPERATION OF CERTAIN DRONES, GRANTS TO CERTAIN NONPROFIT ORGANIZATIONS, AND STUDENT ATHLETE COMPENSATION THROUGH ENDORSEMENT CONTRACTS AND REVENUE SHARING AGREEMENTS.

House Bill 7066 (Section 12) allows public institutions of higher education to enter into revenue sharing agreements with student athletes, while keeping those agreements confidential under the Freedom of Information Act. The legislation is an expansion of an existing provision in the law that allows nondisclosure of “any record of the compensation received by a student athlete from an endorsement contract or employment activity” without the written consent of the student athlete. Commonly referred to as NIL, a 2021 U.S. Supreme Court decision paved the way for student athletes to profit from their name, image and likeness. A settlement in a subsequent lawsuit, *House v. NCAA*, allows colleges and universities to share up to \$20.5 million of revenue a year with athletes. While the FOI Commission did not object to the extent that the proposed exemption is limited solely to records of the *compensation* received by a student athlete, it cautioned against broadening the exemption to records other than records of compensation such as policies or investigations. Section 13 of the bill requires public institutions of higher education to report the total amount of revenue that is used as compensation for student athletes and the total number of student athletes receiving compensation. The Commission argued for stricter reporting requirements, such as a breakdown by sport, or by athlete gender, to provide greater transparency into the allocation of funds from revenue sharing agreements. Those changes were not incorporated into the bill. Sections 12 and 13 of the bill were first introduced in House Bill 6446, *An Act Concerning Student Athlete Compensation Through Endorsement Contracts and Revenue Sharing Agreements*, but were subsequently included and passed as part of House Bill 7066, an emergency certification bill.

House Bill 7066 passed the House and Senate. The Governor has signed House Bill 7066.

² Subsequent to the public hearing on Senate Bill 1288, the Superior Court issued a decision in *Commissioner, State of Connecticut, Department of Education, et al. v. Freedom of Information Commission, et.al.*, HHB-CV-23-6080532-S (Conn. Super. Ct.) (Budzik, J.) (March 27, 2025), which the Commission has appealed.

H.B. 6883; P.A. 25-70, AN ACT PROTECTING THE LOCATION OF HOUSING FOR DOMESTIC VIOLENCE AND SEXUAL ASSAULT VICTIMS.

House Bill 6883, as initially proposed, sought to expand the prohibition on disclosure of residential addresses found in §1-217 of the Freedom of Information Act to attorneys employed by the state Department of Emergency Services and Public Protection as well as the United States Attorneys for the district of Connecticut. The bill also sought to broaden the confidentiality provisions regarding the locations of shelters or transitional housing for victims of domestic violence or sexual assault.

After the public hearing on House Bill 6883, the provision regarding §1-217 was removed by the Government Oversight Committee, leaving only the provision regarding the locations of shelters and transitional housing. While the FOI Commission did not oppose language to expand an existing exemption in Conn. Gen. Stat. §8-360 to records indicating the location of a shelter or transitional housing for victims of sexual assault as well as domestic violence, it did oppose language that would have required any portion of a meeting of a public agency where discussions of a shelter or transitional housing for victims of sexual assault or domestic violence would reveal the location of such shelter or housing to be held in executive session. In its testimony, the Commission noted that there may be times, particularly before land use boards, where public discussion of the location of a shelter or transitional housing may be necessary.

The bill was subsequently amended by the House to permit public agencies to enter in executive session without making it a requirement. Commission staff worked with the proponents of House Bill 6883. The Commission was comfortable with the bill, as amended by the House.

House Bill 6883 was voted out of the Government Oversight Committee and passed the House (as amended) and the Senate. The Governor has signed House Bill 6883.

H.B. 7255; P.A. 25-91, AN ACT CONCERNING JUDICIAL BRANCH OPERATIONS AND PROCEDURES AND THE DUTIES OF JUDICIAL BRANCH PERSONNEL.

House Bill 7255 (Section 1) establishes an Office of Information Privacy within the Judicial Branch with the power to direct public agencies to remove from their websites, social media and social networks, and refrain from posting in the future, certain “personal information” about judges, state and family support referees, family support magistrates and their spouses, children or dependents who reside in the same household. The FOI Commission raised several objections to the proposal, including the fact that it would conflict with other state statutes that require the posting of some of the information set forth in the proposal if it appeared in agendas or minutes for public meetings, or was contained within a video recording of a public meeting that, if held remotely, is required by law to be posted on the internet.

The bill passed the House with an amendment providing that: “Nothing in this section shall require the removal or redaction of personal information contained in records required to be published in accordance with the Freedom of Information Act, as defined in section 1-200 of the general statutes, including agendas, minutes, videos or transcripts of public meetings.”

Commission staff worked with the proponents of House Bill 7255. The Commission was comfortable with the bill, as amended by the House.

House Bill 7255 was voted out of the Judiciary and Appropriations Committees and approved by the House (as amended) and the Senate. The Governor has signed House Bill 7255.

S.B. 1520; P.A. 25-124, AN ACT CONCERNING AN AMENDMENT TO THE FREEDOM OF INFORMATION ACT CONCERNING EDUCATION RECORDS.

Senate Bill 1520 made two revisions to §1-210(b)(17) of the FOI Act which allows public agencies to withhold records that are not subject to disclosure under the Family Educational Rights and Privacy Act [FERPA], 20 USC 1232g. The first revision replaced the word “educational” with the word “education,” similar to a recommendation submitted by the FOI Commission to the legislature to align the language in §1-210(b)(17) with the term used in FERPA. The second revision provided that §1-210(b)(17) would apply to records not subject to disclosure under FERPA, “revised to January 3, 2012.”

For purposes of clarity, the Commission supported replacing the word “educational” with the word “education.” With respect to the proposed addition of the phrase “revised to January 3, 2012”, the Commission did not comment other than to express that it had not been made aware of the need for such proposal.

During debate on the Senate floor, Senator Mae Flexer, co-chair of the Government Administration and Elections Committee, stated that the reference to the 2012 revisions was included “So, if there are any changes to the FERPA law, it would not, as a result, also change access to educational records through our state Freedom of Information Act.”

Senate Bill 1520 passed the Government Administration and Elections Committee and passed the Senate and House. The Governor has signed Senate Bill 1520.

S.B. 973, AN ACT PERMITTING REDACTION FEES FOR THE DISCLOSURE OF RECORDS CREATED BY POLICE BODY-WORN RECORDING EQUIPMENT OR DASHBOARD CAMERAS UNDER THE FREEDOM OF INFORMATION ACT.

S.B. 1229, AN ACT CONCERNING FEES FOR COPYING, REVIEWING AND REDACTING RECORDS CREATED BY POLICE BODY-WORN RECORDING EQUIPMENT AND DASHBOARD CAMERAS.

Senate Bill 973 and Senate Bill 1229 sought to allow law enforcement agencies to charge a redaction fee under certain circumstances for the disclosure of a record created by police body-worn recording equipment and dashboard cameras, the third year in a row such a proposal was considered by the General Assembly. The Commission’s staff has worked with the proponents of the legislation to establish a reasonable fee structure for the provision of such records. The Commission did not oppose the bills, as unlike previous years, there were no new exemptions to disclosure proposed.

Senate Bill 973 was voted out of the Government Oversight Committee but died on the Senate calendar. Senate Bill 1229 was voted out of the Government Administration and Elections Committee and approved by the Senate (as amended) but died on the House calendar.

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Representative Bob Godfrey, Deputy Speaker Pro-Tempore (110th District);
Representative Josh Elliott, Deputy Speaker (88th District);
Representative Jason Rojas, House Majority Leader (9th District);
Representative Lucy Dathan (142nd District);
Representative Vincent Candelora, House Republican Leader (86th District);
Representative Gale Mastrofrancesco, Assistant House Republican Leader (80th District);
Senator Cathy Osten, Senate Deputy President Pro Tempore (19th District); and
Senator Rob Sampson (16th District).

BILL TRACKING

During the regular legislative session, we monitored 185 bills. A total of 92 received public hearings and FOI Commission staff prepared statements for and/or testified on 24 of those bills. As of August 25, 2025, 24 of the bills monitored become public acts.