



General Assembly

**Proposed Substitute
Bill No. 772**

January Session, 2009

LCO No. 4561

AN ACT CONCERNING THE FREEDOM OF INFORMATION ACT.

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

1 Section 1. Section 1-225 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The meetings of all public agencies, except executive sessions, as
4 defined in subdivision (6) of section 1-200, shall be open to the public.
5 The votes of each member of any such public agency upon any issue
6 before such public agency shall be reduced to writing and made
7 available for public inspection within forty-eight hours and shall also
8 be recorded in the minutes of the session at which taken. Within seven
9 days of the session to which such minutes refer, such minutes shall be
10 available for public inspection and, within fourteen days of such
11 session, posted on such public agency's Internet web site, if available.
12 Notwithstanding the provisions of this subsection, no public agency
13 shall be deemed to be in violation of this chapter for the failure to post

Proposed Substitute Bill No. 772

14 minutes of such agency's sessions on the Internet web site of such
15 public agency within fourteen days of the session to which such
16 minutes refer, (1) for the period beginning October 1, 2008, and ending
17 December 31, 2009, if such public agency files a notice with the
18 applicable town clerk indicating the reason for such failure, and (2) for
19 the period beginning January 1, 2010, and ending January 1, 2011,
20 following a vote of the applicable legislative body of such
21 municipality, if such public agency files a notice with the commission
22 describing the hardship that prevents such public agency from
23 complying with such requirement. For informational purposes only, a
24 copy of any notice filed with a town clerk pursuant to this subsection
25 shall be filed with the commission. Each [such] public agency shall
26 make, keep and maintain a record of the proceedings of its meetings.

27 (b) Each such public agency of the state shall file not later than
28 January thirty-first of each year in the office of the Secretary of the
29 State the schedule of the regular meetings of such public agency for the
30 ensuing year and shall post such schedule on such public agency's
31 Internet web site, if available, except that such requirements shall not
32 apply to the General Assembly, either house thereof or to any
33 committee thereof. Any other provision of the Freedom of Information
34 Act notwithstanding, the General Assembly at the commencement of
35 each regular session in the odd-numbered years, shall adopt, as part of
36 its joint rules, rules to provide notice to the public of its regular,
37 special, emergency or interim committee meetings. The chairperson or
38 secretary of any such public agency of any political subdivision of the
39 state shall file, not later than January thirty-first of each year, with the
40 clerk of such subdivision the schedule of regular meetings of such
41 public agency for the ensuing year, and no such meeting of any such
42 public agency shall be held sooner than thirty days after such schedule
43 has been filed. The chief executive officer of any multitown district or
44 agency shall file, not later than January thirty-first of each year, with
45 the clerk of each municipal member of such district or agency, the
46 schedule of regular meetings of such public agency for the ensuing
47 year, and no such meeting of any such public agency shall be held
48 sooner than thirty days after such schedule has been filed.

Proposed Substitute Bill No. 772

49 (c) The agenda of the regular meetings of every public agency,
50 except for the General Assembly, shall be available to the public and
51 shall be filed, not less than twenty-four hours before the meetings to
52 which they refer, (1) in such agency's regular office or place of
53 business, and (2) in the office of the Secretary of the State for any such
54 public agency of the state, in the office of the clerk of such subdivision
55 for any public agency of a political subdivision of the state or in the
56 office of the clerk of each municipal member of any multitown district
57 or agency. For any such public agency of the state, such agenda shall
58 be posted on the public agency's and the Secretary of the State's web
59 sites. Upon the affirmative vote of two-thirds of the members of a
60 public agency present and voting, any subsequent business not
61 included in such filed agendas may be considered and acted upon at
62 such meetings.

63 (d) Notice of each special meeting of every public agency, except for
64 the General Assembly, either house thereof or any committee thereof,
65 shall be posted not less than twenty-four hours before the meeting to
66 which such notice refers on the public agency's Internet web site, if
67 available, and given not less than twenty-four hours prior to the time
68 of such meeting by filing a notice of the time and place thereof in the
69 office of the Secretary of the State for any such public agency of the
70 state, in the office of the clerk of such subdivision for any public
71 agency of a political subdivision of the state and in the office of the
72 clerk of each municipal member for any multitown district or agency.
73 The secretary or clerk shall cause any notice received under this section
74 to be posted in his office. Such notice shall be given not less than
75 twenty-four hours prior to the time of the special meeting; provided, in
76 case of emergency, except for the General Assembly, either house
77 thereof or any committee thereof, any such special meeting may be
78 held without complying with the foregoing requirement for the filing
79 of notice but a copy of the minutes of every such emergency special
80 meeting adequately setting forth the nature of the emergency and the
81 proceedings occurring at such meeting shall be filed with the Secretary
82 of the State, the clerk of such political subdivision, or the clerk of each
83 municipal member of such multitown district or agency, as the case

Proposed Substitute Bill No. 772

84 may be, not later than seventy-two hours following the holding of such
85 meeting. The notice shall specify the time and place of the special
86 meeting and the business to be transacted. No other business shall be
87 considered at such meetings by such public agency. In addition, such
88 written notice shall be delivered to the usual place of abode of each
89 member of the public agency so that the same is received prior to such
90 special meeting. The requirement of delivery of such written notice
91 may be dispensed with as to any member who at or prior to the time
92 the meeting convenes files with the clerk or secretary of the public
93 agency a written waiver of delivery of such notice. Such waiver may be
94 given by telegram. The requirement of delivery of such written notice
95 may also be dispensed with as to any member who is actually present
96 at the meeting at the time it convenes. Nothing in this section shall be
97 construed to prohibit any agency from adopting more stringent notice
98 requirements.

99 (e) No member of the public shall be required, as a condition to
100 attendance at a meeting of any such body, to register the member's
101 name, or furnish other information, or complete a questionnaire or
102 otherwise fulfill any condition precedent to the member's attendance.

103 (f) A public agency may hold an executive session, as defined in
104 subdivision (6) of section 1-200, upon an affirmative vote of two-thirds
105 of the members of such body present and voting, taken at a public
106 meeting and stating the reasons for such executive session, as defined
107 in section 1-200.

108 (g) In determining the time within which or by when a notice,
109 agenda, record of votes or minutes of a special meeting or an
110 emergency special meeting are required to be filed under this section,
111 Saturdays, Sundays, legal holidays and any day on which the office of
112 the agency, the Secretary of the State or the clerk of the applicable
113 political subdivision or the clerk of each municipal member of any
114 multitown district or agency, as the case may be, is closed, shall be
115 excluded.

Comment [BT1]: 01--00--0225---
K i i i i i

Proposed Substitute Bill No. 772

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

Section 1	<i>from passage</i>	1-225
-----------	---------------------	-------