



General Assembly

January Session, 2019

Committee Bill No. 5110

LCO No. 4346



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT APPLYING THE SECURITY EXEMPTION UNDER THE
FREEDOM OF INFORMATION ACT TO THE CONNECTICUT AIRPORT
AUTHORITY AND CONNECTICUT PORT AUTHORITY.***

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

1 Section 1. Subdivision (19) of subsection (b) of section 1-210 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2019*):

4 (19) Records when there are reasonable grounds to believe
5 disclosure may result in a safety risk, including the risk of harm to any
6 person, any government-owned or leased institution or facility or any
7 fixture or appurtenance and equipment attached to, or contained in,
8 such institution or facility, except that such records shall be disclosed
9 to a law enforcement agency upon the request of the law enforcement
10 agency. Such reasonable grounds shall be determined (A) (i) by the
11 Commissioner of Administrative Services, after consultation with the
12 chief executive officer of an executive branch state agency, with respect
13 to records concerning such agency; and (ii) by the Commissioner of
14 Emergency Services and Public Protection, after consultation with the

15 chief executive officer of a municipal, district or regional agency, with
16 respect to records concerning such agency; (B) by the Chief Court
17 Administrator, with respect to records concerning the Judicial
18 Department; [and] (C) by the executive director of the Joint Committee
19 on Legislative Management, with respect to records concerning the
20 Legislative Department; (D) by the executive director of the
21 Connecticut Airport Authority, with respect to records concerning the
22 Connecticut Airport Authority; and (E) by the executive director of the
23 Connecticut Port Authority, with respect to records concerning the
24 Connecticut Port Authority. As used in this section, "government-
25 owned or leased institution or facility" includes, but is not limited to,
26 an institution or facility owned or leased by a public service company,
27 as defined in section 16-1, other than a water company, as defined in
28 section 25-32a, a certified telecommunications provider, as defined in
29 section 16-1, or a municipal utility that furnishes electric or gas service,
30 but does not include an institution or facility owned or leased by the
31 federal government, and "chief executive officer" includes, but is not
32 limited to, an agency head, department head, executive director or
33 chief executive officer. Such records include, but are not limited to:

34 (i) Security manuals or reports;

35 (ii) Engineering and architectural drawings of government-owned
36 or leased institutions or facilities;

37 (iii) Operational specifications of security systems utilized at any
38 government-owned or leased institution or facility, except that a
39 general description of any such security system and the cost and
40 quality of such system may be disclosed;

41 (iv) Training manuals prepared for government-owned or leased
42 institutions or facilities that describe, in any manner, security
43 procedures, emergency plans or security equipment;

44 (v) Internal security audits of government-owned or leased
45 institutions or facilities;

46 (vi) Minutes or records of meetings, or portions of such minutes or
47 records, that contain or reveal information relating to security or other
48 records otherwise exempt from disclosure under this subdivision;

49 (vii) Logs or other documents that contain information on the
50 movement or assignment of security personnel; and

51 (viii) Emergency plans and emergency preparedness, response,
52 recovery and mitigation plans, including plans provided by a person
53 to a state agency or a local emergency management agency or official.

54 Sec. 2. Subsection (d) of section 1-210 of the general statutes is
55 repealed and the following is substituted in lieu thereof (*Effective*
56 *October 1, 2019*):

57 (d) Whenever a public agency, except the Judicial Department, [or]
58 Legislative Department, Connecticut Airport Authority or Connecticut
59 Port Authority receives a request from any person for disclosure of any
60 records described in subdivision (19) of subsection (b) of this section
61 under the Freedom of Information Act, the public agency shall
62 promptly notify the Commissioner of Administrative Services or the
63 Commissioner of Emergency Services and Public Protection, as
64 applicable, of such request, in the manner prescribed by such
65 commissioner, before complying with the request as required by the
66 Freedom of Information Act. If the commissioner, after consultation
67 with the chief executive officer of the applicable agency, believes the
68 requested record is exempt from disclosure pursuant to subdivision
69 (19) of subsection (b) of this section, the commissioner may direct the
70 agency to withhold such record from such person. In any appeal
71 brought under the provisions of section 1-206 of the Freedom of
72 Information Act for denial of access to records for any of the reasons
73 described in subdivision (19) of subsection (b) of this section, such
74 appeal shall be against (1) the chief executive officer of the executive
75 branch state agency or the municipal, district or regional agency that
76 issued the directive to withhold such record pursuant to subdivision
77 (19) of subsection (b) of this section, exclusively, [or,] (2) the Chief

78 Court Administrator, in the case of records concerning Judicial
79 Department facilities, [the Chief Court Administrator or,] (3) the
80 executive director of the Joint Committee on Legislative Management,
81 in the case of records concerning the Legislative Department, [the
82 executive director of the Joint Committee on Legislative Management]
83 (4) the executive director of the Connecticut Airport Authority, in the
84 case of records concerning Connecticut Airport Authority facilities, or
85 (5) the executive director of the Connecticut Port Authority, in the case
86 of records concerning Connecticut Port Authority facilities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	1-210(b)(19)
Sec. 2	<i>October 1, 2019</i>	1-210(d)

GAE *Joint Favorable*