

HCS HBs 256, 33 & 305 -- OPEN MEETINGS AND RECORDS LAW

Sponsor: Jones (50)

COMMITTEE OF ORIGIN: Committee on General Laws

This substitute repeals the expiration date of the provision regarding the exemption from the Open Meetings and Records Law, commonly known as the Sunshine Law, of the disclosure of the operational guidelines, policies, and specific response plans by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding or preventing any critical incident that is terrorist in nature and has the potential to endanger individual or public safety or health. However, the bill specifies that financial records related to the procurement of or expenditures relating to the operational guidelines, policies or plans purchased with public funds will be open. When seeking to close information under this exception, the public governmental body must affirmatively state in writing that disclosure would impair the body's ability to protect the security or safety of persons or real property and that the public interest in nondisclosure outweighs the public interest in disclosure of the records.

The substitute also repeals the expiration date of the provision regarding the exemption from the law for existing or proposed security systems and structural plans of real property owned or leased by a public governmental body and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for the protection of that infrastructure, the public disclosure of which would threaten public safety. However, nothing in this exception is deemed to include video from cameras outside the Governor's office in the Capitol.

The substitute exempts the portion of a record that identifies security systems, access codes, or authorization codes for security systems of real property from the Open Meetings and Records Law.

The substitute specifies that any records or flight logs pertaining to a flight or request for a flight, after the flight has occurred, by an elected member of the Executive or Legislative branch of government must be an open public record under the Open Meetings and Records Law, unless otherwise provided by law.

The provisions of the substitute contain an emergency clause with the exception of those regarding any records or flight logs pertaining to a flight by an elected member of the Executive or Legislative branch.