



General Assembly

Substitute Bill No. 6193

January Session, 2021



**AN ACT SUBJECTING CERTAIN NONSTATE ENTITIES THAT SERVE
A GOVERNMENTAL FUNCTION TO THE FREEDOM OF
INFORMATION ACT AND THE CODES OF ETHICS.**

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

1 Section 1. (NEW) (*Effective July 1, 2021*) (a) An entity serves a
2 governmental function if such entity (1) has as a member of its board of
3 directors or as part of its corporate governance, (A) any state-wide
4 elected officer or any member or member-elect of the General Assembly,
5 (B) any person appointed to any office of the legislative, judicial or
6 executive branch of state government by the Governor or an appointee
7 of the Governor, with or without the advice and consent of the General
8 Assembly, (C) any public member or representative of the teachers'
9 unions or state employees' unions appointed to the Investment
10 Advisory Council pursuant to subsection (a) of section 3-13b of the
11 general statutes, (D) any member or director of a quasi-public agency,
12 or (E) the spouse of the Governor, (2) is authorized to expend public
13 funds, or (3) receives public funds as part of such entity's operations.

14 (b) Any person appointed by a member of the General Assembly, a
15 state-wide elected officer, the Governor or an appointee of the Governor
16 to serve on the board of an entity that (1) is not a state agency or quasi-
17 public agency, as such terms are defined in section 1-79 of the general

18 statutes, as amended by this act, and (2) serves a governmental function,
19 as described in subsection (a) of this section, shall be deemed the
20 functional equivalent of a public agency, as defined in section 1-200 of
21 the general statutes, as amended by this act.

22 Sec. 2. Subdivision (11) of section 1-79 of the general statutes is
23 repealed and the following is substituted in lieu thereof (*Effective July 1,*
24 *2021*):

25 (11) "Public official" means any state-wide elected officer, any
26 member or member-elect of the General Assembly, any person
27 appointed to any office of the legislative, judicial or executive branch of
28 state government by the Governor or an appointee of the Governor,
29 with or without the advice and consent of the General Assembly, any
30 public member or representative of the teachers' unions or state
31 employees' unions appointed to the Investment Advisory Council
32 pursuant to subsection (a) of section 3-13b, any person appointed or
33 elected by the General Assembly or by any member of either house
34 thereof, any member or director of a quasi-public agency, [and] the
35 spouse of the Governor and any person appointed by a member of the
36 General Assembly, a state-wide elected officer, the Governor or an
37 appointee of the Governor to serve on the board of an entity that is not
38 a state or quasi-public agency but serves a governmental function, as
39 described in subsection (a) of section 1 of this act, but does not include
40 a member of an advisory board, a judge of any court either elected or
41 appointed or a senator or representative in Congress.

42 Sec. 3. Subdivision (1) of section 1-200 of the general statutes is
43 repealed and the following is substituted in lieu thereof (*Effective July 1,*
44 *2021*):

45 (1) "Public agency" or "agency" means:

46 (A) Any executive, administrative or legislative office of the state or
47 any political subdivision of the state and any state or town agency, any
48 department, institution, bureau, board, commission, authority or official

49 of the state or of any city, town, borough, municipal corporation, school
50 district, regional district or other district or other political subdivision of
51 the state, including any committee of, or created by, any such office,
52 subdivision, agency, department, institution, bureau, board,
53 commission, authority or official, any entity that serves a governmental
54 function, as described in subsection (a) of section 1 of this act, and also
55 includes any judicial office, official, or body or committee thereof but
56 only with respect to its or their administrative functions, and for
57 purposes of this subparagraph, "judicial office" includes, but is not
58 limited to, the Division of Public Defender Services;

59 (B) Any person to the extent such person is deemed to be the
60 functional equivalent of a public agency pursuant to law, including, but
61 not limited to, any person described in subsection (b) of section 1 of this
62 act; or

63 (C) Any "implementing agency", as defined in section 32-222.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	New section
Sec. 2	July 1, 2021	1-79(11)
Sec. 3	July 1, 2021	1-200(1)

Statement of Legislative Commissioners:

Section 2 and Section 4 were combined into Section 1 for consistency with standard drafting conventions.

GAE Joint Favorable Subst.