
OLR Bill Analysis

SB 466

AN ACT CONCERNING VEXATIOUS REQUESTERS UNDER THE FREEDOM OF INFORMATION ACT.

SUMMARY

By law, public agencies may petition the Freedom of Information Commission (FOIC) for relief from a Freedom of Information Act (FOIA) vexatious requester. Current law requires agencies to show conduct that demonstrates a vexatious history of requests, and this bill specifies that this may also include demonstrating harassing or threatening conduct.

Under current law, the petition must be sworn under penalty of false statement and detail the alleged conduct that includes:

1. the number of requests filed and pending;
2. the scope of the requests;
3. the nature, content, language, or subject matter of requests or other oral and written communications to the agency from the requester;
4. a pattern of conduct that amounts to an abuse of the right to access information under FOIA or an interference with the agency's operation.

The bill expands the conduct to include (1) the nature, content, language, or subject matter of oral or written communications to an agency employee and (2) conduct about the agency or its employee that is threatening or harassing conduct at or outside the agency's office, regardless of whether the conduct is related to the FOIA request.

By law, FOIC may provide appropriate relief commensurate with a vexatious requestor's conduct, including an order that an agency does

not need to comply with the person's requests for a period of time. Currently, this type of order can apply for up to one year. The bill increases this maximum time period to up to three years if FOIC finds a person is a vexatious requestor based on a second or subsequent petition.

EFFECTIVE DATE: October 1, 2026

BACKGROUND

FOIA and Vexatious Requesters

Agencies may petition FOIC for relief from vexatious requesters, and the commission must hold a hearing on the petitions its executive director determines warrant one. The law does not define the term "vexatious requester." Instead, it outlines alleged conduct that must be included in the agency petition and considered during FOIC's review process.

FOIC Review

Upon receiving a petition, FOIC's executive director must review it and determine whether it warrants a hearing. If the executive director determines that a hearing is not warranted, she must recommend that the commission deny the petition. At its next regular meeting, the commission must vote on the recommendation and after the meeting, it must issue a written explanation of the reasons for accepting or rejecting the recommendation.

If the executive director determines that a hearing is warranted, the law requires the commission to serve all parties with a copy of the petition and any other FOIC notice or order. The commission must hear and either grant or deny the petition within one year after its filing.

Related Case

Although vexatious is not defined in statute, the Superior Court upheld FOIC's adoption of the ordinary meaning of vexatious as causing vexation, distressing, and intended to harass. The case is currently on appeal. (*Olson v. Freedom of Information Commission*, Superior Court, Judicial District of New Britain, at New Britain, No.

6076363, August 30, 2024).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 13 Nay 6 (03/23/2026)