



Senate

General Assembly

File No. 109

February Session, 2000

Substitute Senate Bill No. 50

Senate, March 20, 2000

The Committee on Judiciary reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

An Act Concerning Fees Of Witnesses.

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

1 Subsection (a) of section 52-260 of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (a) The fees of a witness for attendance before any court, the General
4 Assembly or any committee thereof, when summoned by the state, or
5 before any legal authority, shall be fifty cents a day, and for travel to
6 the place of trial, [ten cents a mile] shall be the same amount per mile
7 as provided for state employees pursuant to section 5-141c. Whenever
8 a garnishee is required to appear before any court, [he] such garnishee
9 shall receive the same fees as a witness in a civil action and be paid in
10 the same manner. [A witness in a criminal trial shall receive for travel
11 at said rate for one day only, and for each day thereafter for travel in
12 such case shall be paid only his actual traveling expenses, not
13 exceeding ten cents a mile.] The clerk of the Superior Court, upon
14 request, shall, on the day of attendance, pay the fee of any witness

15 summoned by the state to appear before the court. [In criminal trials,
16 no fees may be allowed to bystanders called as witnesses.]

JUD Committee Vote: Yea 39 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Minimal Cost

Affected Agencies: Judicial Department

Municipal Impact: None

Explanation

State Impact:

The bill would result in a minimal cost to the Judicial Department that can be absorbed within normal budgetary resources. The Judicial Department currently spends about \$5,500 per year on witness costs. This expenditure is based on the current law's limitation of one day at 10 cents per mile reimbursement and 50 cents per day per witness. Changing the mileage reimbursement to 32.5 cents per mile could triple these costs. In addition, increasing the rate of mileage reimbursement could result in more witnesses seeking reimbursement for mileage costs than is currently the case. In any case, at this time it is anticipated that the increase can be absorbed.

OLR Bill Analysis

sSB 50

AN ACT CONCERNING EXPENSES OF WITNESSES IN CRIMINAL TRIALS.

SUMMARY:

This bill increases the amount people receive for travel expenses when they are summoned to appear as witnesses in court, before the General Assembly, or before any other legal authority.

Under current law, witnesses summoned to appear in criminal cases receive 10 cents per mile the first day, and their actual traveling expenses up to 10 cents per mile for each additional day. Witnesses summoned to appear in civil proceedings and before the General Assembly receive 10 cents per mile for each day.

The bill instead requires that any person summoned to appear must receive the same amount per mile that the commissioner of administrative services, with the approval of the secretary of policy and management, establishes for state employees. The current rate is 32.5 cents per mile.

Also, the bill eliminates the prohibition against paying fees for bystanders called as witnesses in criminal trials. Thus, it requires that they receive the travel allowance as well as the 50 cents per day paid to all other people summoned to be witnesses in a criminal case?

EFFECTIVE DATE: October 1, 2000

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 0

