



Senate

File No. 625

General Assembly

February Session, 2000

(Reprint of File No. 184)

Senate Bill No. 514
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 14, 2000

An Act Concerning Small Claims Cases.

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

1 Subsection (d) of section 51-15 of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (d) The procedure for the hearing and determination of small claims
4 as the same may be prescribed, from time to time, by the judges of the
5 Superior Court shall be used in all small claims sessions of the court.
6 The small claims procedure shall be applicable to all actions, except
7 actions of libel and slander, claiming money damages not in excess of
8 [two] three thousand five hundred dollars, and to no other actions. If
9 an action is brought in the small claims session by a tenant pursuant to
10 subsection (g) of section 47a-21 to reclaim any part of a security deposit
11 which may be due, the judicial authority hearing the action may award
12 to the tenant the damages authorized by subsection (d) of said section
13 and, if authorized by the rental agreement or any provision of the
14 general statutes, costs, notwithstanding that the amount of such
15 damages and costs, in the aggregate, exceeds the jurisdictional

16 monetary limit established by this subsection. If a motion is filed to
17 transfer a small claims matter to the regular docket in the court, the
18 moving party shall pay the fee prescribed by section 52-259. The
19 Attorney General or an assistant attorney general, or the head of any
20 state agency or his authorized representative, while acting in his
21 official capacity shall not be required to pay any small claims court fee.
22 There shall be no charge for copies of service on defendants in small
23 claims matters.

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: Potential Cost
Affected Agencies: Judicial Department
Municipal Impact: None

Explanation

State Impact:

The bill could result in a cost to the Judicial Department by raising the threshold on damages sought in small claims cases from \$2,500 to \$3,500 and by increasing the limit of \$3,500 in certain small claims cases by including costs in certain security-deposit related cases. These costs relate to a net increase in cases brought before the court. Although some cases would be transferred from the regular docket to the small claims docket, other cases that may not have been filed in the regular docket could now be filed in a less restrictive small claims docket. Although the extent to which the number of small claims cases may be affected is uncertain, the impact is anticipated to be absorbable within normal budgetary resources.

About 67,000 cases are filed in small claims court per year. The department currently operates four regional small claims dockets (Manchester, Waterbury, New Haven and Bridgeport) that handle about half of these cases.

House Amendment "A" increased the potential cost in the bill by raising the bill's limit of \$3,500 in certain small claims cases by

including costs in certain security-deposit related small claims cases.

OLR Amended Bill Analysis

SB 514 (as amended by House "A")*

AN ACT CONCERNING SMALL CLAIMS CASES.**SUMMARY:**

This bill increases, from \$2,500 to \$3,500, the maximum amount of damages that may be claimed in small claims court actions. The bill authorizes the judicial authority hearing a small claims action by a tenant to recover his security deposit for a dwelling to award damages and costs authorized by law exceeding the \$3,500 limit. By law, residential landlords are liable for twice the amount of the security deposit if they violate their statutory duty to return the deposit within certain time frames.

*House Amendment "A" adds the security deposit provision.

EFFECTIVE DATE: October 1, 2000

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 38 Nay 1