



Senate

General Assembly

File No. 77

January Session, 2003

Senate Bill No. 364

Senate, March 27, 2003

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING DAMAGES IN SMALL CLAIMS ACTIONS.

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

1 Section 1. Subsection (d) of section 51-15 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2003*):

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

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

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

JUD *Joint Favorable*

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:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Judicial Dept.	GF - Revenue Loss	Greater than 50,000	Greater than 50,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill raises the amount of money damages that may be sought in small claims court from \$3,500 to \$5,000. This will shift a portion of cases from the civil division (\$225 filing fee) to the small claims docket (\$35 filing fee.) The resulting revenue loss to the state is estimated to be greater than \$50,000 annually. The net reduction in the Judicial Department’s workload associated with more small claims cases and less civil cases would speed disposition, but is not expected to generate savings such that appropriations could be decreased.

OLR Bill Analysis

SB 364

AN ACT CONCERNING DAMAGES IN SMALL CLAIMS ACTIONS**SUMMARY:**

This bill increases, from \$3,500 to \$5,000, the maximum amount of damages that may be claimed in actions filed in small claims court. Small claims court has jurisdiction over all matters, except libel or slander, involving money damages up to the statutory maximum.

EFFECTIVE DATE: October 1, 2003

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 39 Nay 2