



General Assembly

January Session, 2003

**Committee Bill No. 5920**

LCO No. 2969

Referred to Committee on Planning and Development

Introduced by:  
(PD)

**AN ACT CONCERNING WITNESSES FOR CONVEYANCES AND DOCUMENTS RECORDED ON THE LAND RECORDS.**

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

1 Section 1. Section 47-5 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2004*):

3 (a) All conveyances of land shall be: (1) In writing; (2) if the grantor  
4 is a natural person, subscribed, with or without a seal, by the grantor  
5 with his own hand or with his mark with his name annexed to it or by  
6 his attorney authorized for that purpose by a power executed,  
7 acknowledged [and witnessed] in the manner provided for  
8 conveyances or, if the grantor is a corporation, limited liability  
9 company or partnership, subscribed by a duly authorized person; and  
10 (3) acknowledged by the grantor, his attorney or such duly authorized  
11 person to be his free act and deed. [; and (4) attested to by two  
12 witnesses with their own hands.]

13 (b) In addition to the requirements of subsection (a), the execution  
14 of a deed or other conveyance of real property pursuant to a power of  
15 attorney shall be deemed sufficient if done in substantially the

16 following form:

17 Name of Owner of Record  
18 By: (Signature of Attorney-in-Fact) L.S.  
19 Name of Signatory  
20 His/Her Attorney-in-Fact

21 (c) Nothing in subsection (b) of this section precludes the use of any  
22 other legal form of execution of deed or other conveyance of real  
23 property.

24 Sec. 2. Section 42-116t of the general statutes is repealed and the  
25 following is substituted in lieu thereof (*Effective January 1, 2004*):

26 (a) No person, except an artist who owns and possesses a work of  
27 fine art which the artist has created, shall intentionally commit, or  
28 authorize the intentional commission of, any physical defacement or  
29 alteration of a work of fine art.

30 (b) The artist shall retain at all times the right to claim authorship.

31 (c) To effectuate the rights created by section 42-116s and this  
32 section, the artist may commence an action to recover or obtain any of  
33 the following: (1) Injunctive relief, (2) actual damages, (3) reasonable  
34 attorney's and expert witness fees, and (4) any other relief which the  
35 court deems proper.

36 (d) The rights and duties created under section 42-116s and this  
37 section: (1) Shall, with respect to the artist, or if any artist is deceased,  
38 his heir, legatee or designated personal representative, exist until the  
39 fiftieth anniversary of the death of such artist, (2) shall exist in addition  
40 to any other rights and duties which may be applicable on or after  
41 October 1, 1988, and (3) except as provided in subsection (e) may not  
42 be waived except by an instrument in writing expressly so providing  
43 which is signed by the artist.

44 (e) If a work of fine art cannot be removed from a building without  
45 substantial physical defacement or alteration of such work, the rights

46 and duties created under this section, unless expressly reserved by an  
47 instrument in writing signed by the owner of such building [executed  
48 and witnessed in the same manner provided for deeds in section 47-5]  
49 and properly recorded, shall be deemed waived. Such instrument, if  
50 properly recorded, shall be binding on subsequent owners of such  
51 building.

52 (f) No action may be maintained to enforce any liability under  
53 section 42-116s and this section unless brought within three years of  
54 the act complained of or one year after discovery of such act,  
55 whichever is longer, except that no action may be brought more than  
56 ten years from the date of the act complained of.

57 (g) The provisions of section 42-116s and this section shall apply to  
58 works of art created on or after October 1, 1988.

59 Sec. 3. Section 7-24 of the general statutes is amended by adding  
60 subsection (f) as follows (*Effective January 1, 2004*):

61 (NEW) (f) Each deed or mortgage received for recording on the land  
62 records shall have a blank space one inch in width around the outer  
63 edges of such instrument or document. A town clerk may charge an  
64 additional fee of five dollars for any deed or mortgage to be recorded  
65 which does not have such blank space.

This act shall take effect as follows:	
Section 1	<i>January 1, 2004</i>
Sec. 2	<i>January 1, 2004</i>
Sec. 3	<i>January 1, 2004</i>

**Statement of Purpose:**

To eliminate the requirement of two witnesses for conveyances and to provide for standardization of documents filed with the town clerk.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. FONTANA, 87th Dist.; REP. METZ, 101st Dist.

H.B. 5920