



General Assembly

Substitute Bill No. 5920

January Session, 2003

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 Section 47-5 of the general statutes is repealed and the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 Section 42-116t of the general statutes is repealed and the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 at least three-quarters of an inch in
63 width around the outer edges of such instrument or document. A town
64 clerk may charge an additional fee of five dollars for any deed or
65 mortgage to be recorded 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>

PD

Joint Favorable Subst. C/R

JUD