



General Assembly

Amendment

January Session, 2003

LCO No. 5508

HB0517405508HR0

Offered by:

REP. PETERS, 30th Dist.

To: Subst. House Bill No. 5174

File No. 579

Cal. No. 392

"AN ACT AUTHORIZING DERRICK BETTON TO BRING A CIVIL ACTION AGAINST THE COMMISSIONER OF TRANSPORTATION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (*Effective from passage*) (a) Notwithstanding the failure to
4 file a proper notice of a claim against the state with the clerk of the
5 Office of the Claims Commissioner, as required by section 4-147 of the
6 general statutes, within the time limitations specified by subsection (a)
7 of section 4-148 of the general statutes, and notwithstanding the
8 provisions of subsection (c) of said section 4-148 barring the
9 presentment of a claim once considered by the Claims Commissioner,
10 by the General Assembly or in a judicial proceeding, Faye A. Philbrick
11 is authorized pursuant to the provisions of subsection (b) of said
12 section 4-148 to present her claim against the state to the Claims
13 Commissioner. The General Assembly deems such authorization to be
14 just and equitable and finds that such authorization is supported by
15 compelling equitable circumstances and would serve a public purpose.

16 (b) The state shall be barred from setting up the failure to comply
17 with the provisions of sections 4-147 and 4-148 of the general statutes,
18 from denying that notice of the claim was properly and timely given
19 pursuant to sections 4-147 and 4-148 of the general statutes and from
20 setting up the fact that the claim had once been considered by the
21 Claims Commissioner, by the General Assembly or in a judicial
22 proceeding as defenses to such claim."