



# House of Representatives

General Assembly

**File No. 679**

February Session, 2004

Substitute House Bill No. 5064

*House of Representatives, April 28, 2004*

The Committee on Appropriations reported through REP. DYSON of the 94th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT INCREASING THE WITNESS FEE PAID TO POLICE OFFICERS AND FIREFIGHTERS.**

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

1 Section 1. Subsections (b) to (d), inclusive, of section 52-260 of the  
2 general statutes are repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2004*):

4 (b) When any regular or supernumerary [policeman] police officer  
5 or any regular, volunteer or substitute [fireman] firefighter of any  
6 town, city or borough is summoned to testify in any criminal  
7 proceeding pending before the Superior Court or the Department of  
8 Agriculture and Consumer Protection and the [policeman] police  
9 officer or [fireman] firefighter receives no compensation from the  
10 town, city or borough by which he is employed for the time so spent  
11 by him, the [policeman] police officer or [fireman] firefighter shall be  
12 allowed and paid [forty] one hundred dollars, together with the  
13 mileage allowed by law to witnesses in criminal cases, for each day he

14 is required to attend the proceedings.

15 (c) When any regular or supernumerary [policeman] police officer  
 16 or any regular or substitute [fireman] firefighter is summoned to  
 17 testify in his capacity as a [policeman] police officer or [fireman]  
 18 firefighter in any court in a civil action and the [policeman] police  
 19 officer or [fireman] firefighter receives no compensation from the  
 20 municipality by which he is employed for the time he is in attendance  
 21 at court, there shall be allowed and paid to the [policeman] police  
 22 officer or [fireman] firefighter a witness fee of [forty] one hundred  
 23 dollars, together with the mileage allowed by law to witnesses in  
 24 criminal cases, for each day he is required to attend court. If the  
 25 [policeman] police officer or [fireman] firefighter testifies in any such  
 26 proceeding or civil action on a vacation day or compensatory day off,  
 27 he shall be paid the sum of [forty] one hundred dollars, together with  
 28 the mileage allowed by law, notwithstanding the fact that he is  
 29 receiving compensation for such day from the town, city or borough  
 30 by which he is employed.

31 (d) The amounts paid under subsections (b) and (c) of this section  
 32 shall be taxed as a part of the costs, and shall be in lieu of all other  
 33 witness fees payable to such [policeman] police officer or [fireman]  
 34 firefighter.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

**APP**      *Joint Favorable Subst.*

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:

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 05 \$</b>	<b>FY 06 \$</b>
Criminal Justice, Div.	GF - Cost	56,250	75,000
Pub. Defender Serv. Com.	GF - Cost	Minimal	Minimal
Consumer Protection, Dept.	GF - Cost	Potential Minimal	Potential Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill increases the witness fees (from \$40 to \$100) that state agencies must pay police officers and firefighters when they are called to testify in certain cases. Because both municipal and state employers generally compensate employees for time spent in court, passage of the bill is not anticipated to result in any impact on the State Police or municipal police and fire departments.

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**OLR Bill Analysis**

sHB 5064

***AN ACT INCREASING THE WITNESS FEE PAID TO POLICE OFFICERS AND FIREFIGHTERS***

**SUMMARY:**

This bill increases, from \$40 to \$100, witness fees for police officers and firefighters, including volunteers or substitutes, in the following circumstances:

1. in criminal proceedings before the Superior Court or proceedings before the Department of Agriculture and Consumer Protection, if their employer does not compensate them for time spent in court;
2. in civil proceedings on any vacation or compensatory day, even if their employer compensates them for the day; and
3. in civil proceedings on other days, if their employer does not compensate them.

EFFECTIVE DATE: October 1, 2004

**BACKGROUND**

***Legislative History***

On April 13, the House referred the bill (File 478) to the Appropriations Committee, which reported this substitute reducing the fee in the original bill from \$240 to \$100.

**COMMITTEE ACTION**

Public Safety Committee

Joint Favorable Change of Reference  
Yea 22 Nay 0

Judiciary Committee

Joint Favorable Report  
Yea 34 Nay 0

Appropriations Committee

Joint Favorable Substitute  
Yea 50 Nay 0