



**Senate Bill No. 1223**

**Special Act No. 05-4**

***AN ACT CONCERNING THE CLAIM AGAINST THE STATE OF ROBERT J. KELLY.***

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

Section 1. (*Effective from passage*) (a) Notwithstanding the failure to file a proper notice of a claim against the state with the clerk of the Office of the Claims Commissioner, as required by section 4-147 of the general statutes, within the time limitations specified by subsection (a) of section 4-148 of the general statutes, and notwithstanding the provisions of subsection (c) of section 4-148 of the general statutes barring the presentment of a claim once considered by the Claims Commissioner, the General Assembly or in a judicial proceeding, Robert J. Kelly is authorized pursuant to the provisions of subsection (b) of section 4-148 of the general statutes to present his claim against the state to the Claims Commissioner. The General Assembly deems such authorization to be just and equitable and finds that such authorization is supported by compelling equitable circumstances and would serve a public purpose.

(b) The state shall be barred from setting up the failure to comply with the provisions of sections 4-147 and 4-148 of the general statutes, from denying that notice of the claim was properly and timely given pursuant to sections 4-147 and 4-148 of the general statutes and from

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setting up the fact that the claim had once been considered by the Claims Commissioner, by the General Assembly or in a judicial proceeding as defenses to such claim.

Approved June 2, 2005