



House of Representatives

General Assembly

File No. 177

January Session, 2005

House Bill No. 6810

House of Representatives, April 5, 2005

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING TRANSFER OF PROBATE COURT RECORDS.

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

1 Section 1. Section 45a-661 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 When any person under voluntary or involuntary representation
4 becomes a settled inhabitant of any town in the state in a probate
5 district other than the one in which a conservator was appointed, and
6 is an actual resident in such district, the court of probate in which the
7 conservator was appointed shall, upon motion of the conservator, the
8 person under conservatorship, the first selectman or the chief executive
9 officer of the town in which the person under conservatorship resides
10 or [of] the husband or wife or a relative of the person under
11 conservatorship, transfer the file to the probate district in which the
12 person under conservatorship resides at the time of the application. A
13 transfer of the file shall be accomplished by the probate court in which
14 the conservator was originally appointed by making copies of all

15 recorded documents in the court and certifying each of them and then
16 causing them to be delivered to the court for the district in which the
17 person under conservatorship resides. When the transfer is made, the
18 court of probate in which the person under conservatorship resides at
19 the time of transfer shall thereupon assume jurisdiction over the
20 conservatorship and all further accounts shall be filed with such court.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	45a-661

JUD *Joint Favorable*

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:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Probate Court (Judicial Department)	PCAF - None	None	None

Note: PCAF=Probate Court Administration Fund

Municipal Impact: None

Explanation

The bill allows a ward, who has moved to another probate district, the right to request that their probate file be transferred to the district where they currently reside. The costs associated with the transfer of records such as copying, certifying, and mailing documents, would be the responsibility of the petitioner. Passage of this bill is not anticipated to result in a fiscal impact to the probate court.

OLR Bill Analysis

HB 6810

AN ACT CONCERNING TRANSFER OF PROBATE COURT RECORDS**SUMMARY:**

This bill allows a person under conservatorship who has moved from the probate district where his conservator was appointed to make a motion to transfer his file to the probate district where he now resides. By law, the person's conservator, spouse, or relative, or the first selectman or chief executive officer of the town where the person resides can already make this motion.

EFFECTIVE DATE: October 1, 2005

BACKGROUND***Conservators***

The probate court can appoint a conservator to supervise (1) the financial affairs of a person found incapable of managing his own affairs, (2) the personal affairs of a person found incapable of caring for himself, or (3) both. The probate court can appoint a conservator involuntarily. A person can also voluntarily ask the court for the appointment of a conservator for either or both of these purposes.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 33 Nay 0