



# House of Representatives

General Assembly

**File No. 553**

*January Session, 2005*

Substitute House Joint Resolution No. 78

*House of Representatives, April 27, 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 substitute joint resolution ought to be adopted.

**RESOLUTION REJECTING THE RECOMMENDATION OF THE CLAIMS COMMISSIONER WITH REGARD TO THE CLAIM OF J. MARK SILHAVY, EXECUTOR OF THE ESTATE OF SABINA SILHAVY.**

Resolved by this Assembly:

1 That the recommendation of the Claims Commissioner, file number  
2 17287 of said commissioner, that no award be granted to J. Mark  
3 Silhavy, executor of the estate of Sabina Silhavy, on his claim against  
4 the state in excess of seven thousand five hundred dollars and that  
5 permission to sue be denied, is rejected and J. Mark Silhavy, executor  
6 of the estate of Sabina Silhavy, is authorized to institute and prosecute  
7 to final judgment an action against the state to recover damages as  
8 compensation for the death of Sabina Silhavy on October 31, 1996.  
9 Such action shall be brought not later than one year from the date of  
10 the final adoption by the General Assembly of this resolution.

**JUD** 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:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Comptroller - Adjudicated Claims Account	GF - Potential Cost	Significant	None
Attorney General	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The resolution grants the executor of the estate of Sabina Silhavy permission to sue the state to seek damages as compensation for her alleged wrongful death. Pursuant to CGS Section 4-160, amounts awarded upon contractual claims for goods or services shall be paid from the appropriation of the agency which received such goods or services. All other amounts, including personal injury awards, are paid from the resources of the General Fund via the Adjudicated Claims account.<sup>1</sup> The Office of the Attorney General could handle any workload increase as a result of the resolution within anticipated budgetary resources.

<sup>1</sup> The Adjudicated Claims account is a non-appropriated, General Fund account within the State Comptroller’s agency for administrative purposes. Payments from this account would reduce a surplus or increase a deficit in the General Fund.

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**OLR Bill Analysis**  
SHJ 78

***RESOLUTION REJECTING THE RECOMMENDATION OF THE CLAIMS COMMISSIONER WITH REGARD TO THE CLAIM OF J. MARK SILHAVY, EXECUTOR OF THE ESTATE OF SABINA SILHAVY***

**SUMMARY:**

The Office of Legislative Research does not analyze Resolutions.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute  
Yea 36 Nay 2