



# Senate

General Assembly

**File No. 389**

January Session, 2005

Senate Bill No. 1196

*Senate, April 18, 2005*

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT CONCERNING WITNESS FEES.**

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

1 Section 1. Subsection (f) of section 52-260 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2005*):

4 (f) When any practitioner of the healing arts, as defined in section  
5 20-1, dentist, registered nurse, advanced practice registered nurse or  
6 licensed practical nurse, as defined in section 20-87a, psychologist or  
7 real estate appraiser gives expert testimony in any action or  
8 proceeding, including by means of a deposition, the court shall  
9 determine a reasonable fee to be paid to such practitioner of the  
10 healing arts, dentist, registered nurse, advanced practice registered  
11 nurse, licensed practical nurse, psychologist or real estate appraiser  
12 and taxed as part of the costs in lieu of all other witness fees payable to  
13 such practitioner of the healing arts, dentist, registered nurse,  
14 advanced practice registered nurse, licensed practical nurse,  
15 psychologist or real estate appraiser.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	52-260(f)

**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:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 06 \$</b>	<b>FY 07 \$</b>
Judicial Dept.; Criminal Justice, Div.; Pub. Defender Serv. Com.	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill includes psychologists in the statutory listing of various professionals who may charge expert witness fees. Since psychologists already receive expert witness fees as a matter of practice, the bill's change is technical in nature and has no fiscal impact.

**OLR Bill Analysis**

SB 1196

**AN ACT CONCERNING WITNESS FEES****SUMMARY:**

This bill allows psychologists who give expert testimony, including by deposition, to receive a reasonable fee, as determined by the court, in place of other witness fees. By law, practitioners of the healing arts, dentists, registered nurses, advanced practice nurses, licensed practical nurses, and real estate appraisers already receive these fees for expert testimony.

EFFECTIVE DATE: July 1, 2005

**BACKGROUND*****Witness Fees***

The law sets fees and expenses for witnesses in a number of circumstances. Generally, witnesses receive 50 cents a day for attending court and the same per-mile rate for travel to the place of trial as is paid state employees for travel.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Report

Yea 34 Nay 0