



General Assembly

January Session, 2005

**Raised Bill No. 1223**

LCO No. 4097

\* SB01223JUD 041305 \*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**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:

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

15 (b) The state shall be barred from setting up the failure to comply  
16 with the provisions of sections 4-147 and 4-148 of the general statutes,

17 from denying that notice of the claim was properly and timely given  
18 pursuant to sections 4-147 and 4-148 of the general statutes and from  
19 setting up the fact that the claim had once been considered by the  
20 Claims Commissioner, by the General Assembly or in a judicial  
21 proceeding as defenses to such claim.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

**JUD**      *Joint Favorable*