



General Assembly

January Session, 2005

**Amendment**

LCO No. 6768

**\*SB0077006768SD0\***

Offered by:  
SEN. MCDONALD, 27<sup>th</sup> Dist.

To: Senate Bill No. 770

File No. 382

Cal. No. 302

**"AN ACT CONCERNING THE AVAILABILITY OF STATE AGENCY REGULATIONS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 4-181a of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2005*):

6 (a) (1) Unless otherwise provided by law, a party in a contested case  
7 may, within fifteen days after the personal delivery or mailing of the  
8 final decision, file with the agency a petition for reconsideration of the  
9 decision on the ground that: (A) An error of fact or law should be  
10 corrected; (B) new evidence has been discovered which materially  
11 affects the merits of the case and which for good reasons was not  
12 presented in the agency proceeding; or (C) other good cause for  
13 reconsideration has been shown. Within twenty-five days of the filing  
14 of the petition, the agency shall decide whether to reconsider the final  
15 decision. The failure of the agency to make that determination within

16 twenty-five days of such filing shall constitute a denial of the petition.

17 (2) Within forty days of the personal delivery or mailing of the final  
18 decision, the agency, regardless of whether a petition for  
19 reconsideration has been filed, may decide to reconsider the final  
20 decision.

21 (3) If the agency decides to reconsider a final decision, pursuant to  
22 subdivision (1) or (2) of this subsection, the agency shall proceed in a  
23 reasonable time to conduct such additional proceedings as may be  
24 necessary to render a decision modifying, affirming, or reversing the  
25 final decision, provided in no event shall the period of time to render  
26 such reconsidered decision exceed the period of time within which the  
27 agency was required to render the final decision being reconsidered.

28 (4) An agency decision made after reconsideration pursuant to this  
29 subsection shall become the final decision in the contested case in lieu  
30 of the original final decision for purposes of any appeal under the  
31 provisions of section 4-183, including, but not limited to, an appeal of  
32 (A) any issue decided by the agency in its original final decision that  
33 was not the subject of any petition for reconsideration or the agency's  
34 decision made after reconsideration, (B) any issue as to which  
35 reconsideration was requested but not granted, and (C) any issue that  
36 was reconsidered but not modified by the agency from the  
37 determination of such issue in the original final decision."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	4-181a(a)