



General Assembly

February Session, 2006

Raised Bill No. 5738

LCO No. 2560

* _____HB05738JUD___032006_____*

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING RECONSIDERED AGENCY DECISIONS
UNDER THE UNIFORM ADMINISTRATIVE PROCEDURE ACT.**

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

1 Section 1. Subsection (a) of section 4-181a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2006*):

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

15 (2) Within forty days of the personal delivery or mailing of the final

16 decision, the agency, regardless of whether a petition for
17 reconsideration has been filed, may decide to reconsider the final
18 decision.

19 (3) If the agency decides to reconsider a final decision, pursuant to
20 subdivision (1) or (2) of this subsection, the agency shall proceed in a
21 reasonable time to conduct such additional proceedings as may be
22 necessary to render a decision modifying, affirming [,] or reversing the
23 final decision, provided such decision made after reconsideration shall
24 be rendered not later than ninety days following the date on which the
25 agency decides to reconsider the final decision.

26 (4) An agency decision made after reconsideration pursuant to this
27 subsection shall become the final decision in the contested case in lieu
28 of the original final decision for purposes of any appeal under the
29 provisions of section 4-183, including, but not limited to, an appeal of
30 (A) any issue decided by the agency in its original final decision that
31 was not the subject of any petition for reconsideration or the agency's
32 decision made after reconsideration, (B) any issue as to which
33 reconsideration was requested but not granted, and (C) any issue that
34 was reconsidered but not modified by the agency from the
35 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, 2006	4-181a(a)

JUD *Joint Favorable*