



General Assembly

February Session, 2006

**Amendment**

LCO No. 3957

**\*HB0573803957HDO\***

Offered by:  
REP. SPALLONE, 36<sup>th</sup> Dist.

To: House Bill No. 5738

File No. 363

Cal. No. 241

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

1 In line 25, after the period insert the following: "If the agency fails to  
2 render such decision made after reconsideration within such ninety-  
3 day period, the original final decision shall remain the final decision in  
4 the contested case for purposes of any appeal under the provisions of  
5 section 4-183."

6 In line 26, strike "An" and insert the following in lieu thereof:  
7 "Except as otherwise provided in subdivision (3) of this subsection, an"

8 After the last section, add the following and renumber sections and  
9 internal references accordingly:

10 "Sec. 501. Subsection (c) of section 4-183 of the general statutes is  
11 repealed and the following is substituted in lieu thereof (*Effective*  
12 *October 1, 2006*):

13 (c) (1) Within forty-five days after mailing of the final decision

14 under section 4-180 or, if there is no mailing, within forty-five days  
15 after personal delivery of the final decision under said section, or (2)  
16 within forty-five days after the agency denies a petition for  
17 reconsideration of the final decision pursuant to subdivision (1) of  
18 subsection (a) of section 4-181a, as amended by this act, or (3) within  
19 forty-five days after mailing of the final decision made after  
20 reconsideration pursuant to subdivisions (3) and (4) of subsection (a)  
21 of section 4-181a, as amended by this act, or, if there is no mailing,  
22 within forty-five days after personal delivery of the final decision  
23 made after reconsideration pursuant to said subdivisions, or (4) within  
24 forty-five days after the expiration of the ninety-day period required  
25 under subdivision (3) of subsection (a) of section 4-181a, as amended  
26 by this act, if the agency decides to reconsider the final decision and  
27 fails to render a decision made after reconsideration within such  
28 period, whichever is applicable and is later, a person appealing as  
29 provided in this section shall serve a copy of the appeal on the agency  
30 that rendered the final decision at its office or at the office of the  
31 Attorney General in Hartford and file the appeal with the clerk of the  
32 superior court for the judicial district of New Britain or for the judicial  
33 district wherein the person appealing resides or, if that person is not a  
34 resident of this state, with the clerk of the court for the judicial district  
35 of New Britain. Within that time, the person appealing shall also serve  
36 a copy of the appeal on each party listed in the final decision at the  
37 address shown in the decision, provided failure to make such service  
38 within forty-five days on parties other than the agency that rendered  
39 the final decision shall not deprive the court of jurisdiction over the  
40 appeal. Service of the appeal shall be made by [(1)] United States mail,  
41 certified or registered, postage prepaid, return receipt requested,  
42 without the use of a state marshal or other officer, or [(2)] by personal  
43 service by a proper officer or indifferent person making service in the  
44 same manner as complaints are served in ordinary civil actions. If  
45 service of the appeal is made by mail, service shall be effective upon  
46 deposit of the appeal in the mail."