



General Assembly

Amendment

February Session, 2006

LCO No. 5690

HB0584605690SRO

Offered by:

SEN. FASANO, 34th Dist.
SEN. MCKINNEY, 28th Dist.
SEN. CAPPIELLO, 24th Dist.
SEN. COOK, 18th Dist.
SEN. DELUCA, 32nd Dist.
SEN. FREEDMAN, 26th Dist.

SEN. GUGLIELMO, 35th Dist.
SEN. GUNTHER, 21st Dist.
SEN. HERLIHY, 8th Dist.
SEN. KISSEL, 7th Dist.
SEN. NICKERSON, 36th Dist.
SEN. RORABACK, 30th Dist.

To: House Bill No. 5846

File No.

Cal. No.

(As Amended)

"AN ACT REQUIRING A STUDY OF BUDGETED STATE AGENCIES WITH RESPECT TO THE EXPENDITURES OF SUCH AGENCIES IN RELATION TO PROGRAMS ADMINISTERED OR SERVICES PROVIDED BY SUCH AGENCIES."

1 Strike subsection (c) of section 509 and insert the following in lieu
2 thereof:

3 "(c) After trial the court shall examine the record to determine
4 whether the plaintiff made an offer of compromise which the
5 defendant failed to accept. If the court ascertains from the record that
6 the plaintiff has recovered an amount equal to or greater than the sum
7 certain specified in the plaintiff's offer of compromise, the court shall
8 add to the amount so recovered eight per cent annual interest on said

9 amount, except in the case of a counterclaim plaintiff under section 8-
10 132, as amended by this act, the court shall add to the amount so
11 recovered eight per cent annual interest on the difference between the
12 amount so recovered and the sum certain specified in the counterclaim
13 plaintiff's offer of compromise and reasonable attorney's fees and fees
14 for appraisals and expert testimony. The interest shall be computed
15 from the date the complaint in the civil action or application under
16 section 8-132, as amended by this act, was filed with the court if the
17 offer of compromise was filed not later than eighteen months from the
18 filing of such complaint or application. If such offer was filed later than
19 eighteen months from the date of filing of the complaint or application,
20 the interest shall be computed from the date the offer of compromise
21 was filed. The court may award reasonable attorney's fees in an
22 amount not to exceed three hundred fifty dollars, and shall render
23 judgment accordingly. This section shall not be interpreted to abrogate
24 the contractual rights of any party concerning the recovery of
25 attorney's fees in accordance with the provisions of any written
26 contract between the parties to the action."