



Senate

General Assembly

File No. 593

January Session, 2007

Senate Bill No. 1247

Senate, April 26, 2007

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING INTERNATIONAL JURISDICTION.

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

- 1 Section 1. (NEW) (*Effective October 1, 2007*) The Superior Court shall
2 have jurisdiction of any civil action for a tort committed in violation of
3 the law of nations or a treaty of the United States and, subject to the
4 common law doctrine of forum non conveniens, shall hear any such
5 civil action in tort if:
- 6 (1) Any plaintiff in such action resides in this state;
- 7 (2) Any defendant in such action resides in this state;
- 8 (3) Any defendant in such action owns property located in this state;
- 9 (4) Any defendant in such action is personally served with process
10 in this state;
- 11 (5) The tortious act complained of in such action was committed in
12 this state;

13 (6) The harm complained of in such action was suffered in this state;
14 or

15 (7) International law confers universal jurisdiction to adjudicate
16 such action in this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Judicial Dept.	GF - Potential Revenue Gain / Potential Cost	Less than 1,000	Less than 1,000

Note: GF=General Fund

Municipal Impact: None

Explanation

Few civil cases are anticipated under the bill. Consequently, any potential revenue gain from court fees or cost to compensate jurors is anticipated to be less than \$1,000 annually.

The Out Years

The annualized ongoing potential revenue gain and cost identified above would remain relatively constant into the future since court fees and compensation rates for jurors are set by statute.

OLR Bill Analysis**SB 1247*****AN ACT CONCERNING INTERNATIONAL JURISDICTION.*****SUMMARY:**

This bill gives Connecticut courts jurisdiction to hear any tort claim based on the law of nations (international law) or a U.S. treaty if:

1. the plaintiff is a Connecticut resident;
2. the defendant is a Connecticut resident, owns property here, or is personally served here;
3. the act that is the basis of the tort claim or the harm suffered occurred in Connecticut; or
4. international law confers universal jurisdiction to adjudicate the action in Connecticut.

The bill provides that the court's jurisdiction is subject to the common law doctrine of *forum non conveniens*, which gives the court discretion to decide which trial location will best serve the convenience of the parties and the ends of justice (see *Durkin v. Intevac, Inc.* 258 Conn. 454 (Conn. 2001)).

EFFECTIVE DATE: October 1, 2007

BACKGROUND***Torts***

A "tort" is a civil wrong or wrongful act, whether intentional or accidental, from which injury occurs to another. Torts include negligence cases as well as intentional wrongs that result in harm. Some intentional torts, such as assault may also be crimes.

The bill applies to torts based on violations of international law or treaties.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 41 Nay 0 (04/13/2007)