



# Senate

General Assembly

**File No. 535**

January Session, 2007

Senate Bill No. 1388

*Senate, April 19, 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 ATTORNEYS ADMITTED PRO HAC VICE.***

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

1 Section 1. Subsection (a) of section 51-81b of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2007*):

4 (a) Any person who has been admitted as an attorney by the judges  
5 of the Superior Court shall annually on or before January fifteenth file  
6 an annual return prescribed or furnished by the Commissioner of  
7 Revenue Services. If any such person was engaged in the practice of  
8 law in the year preceding the year in which an occupational tax is due  
9 hereunder, such person, unless exempted under this section, shall  
10 annually on or before January fifteenth pay to the Commissioner of  
11 Revenue Services a tax in the amount of four hundred fifty dollars.  
12 Any person who has been admitted as an attorney pro hac vice by a  
13 judge of the Superior, Appellate or Supreme Court in accordance with  
14 the rules of [court] said court shall file such return and pay such tax as  
15 provided in this subsection with respect to any year in which such

16 person was admitted pro hac vice and engaged in the practice of law in  
17 this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	51-81b(a)

**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:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill makes it clear that the occupational tax does not apply to attorneys who have been temporarily admitted to practice in federal court in Connecticut by a federal judge. Since this conforms to current practice, there is no fiscal impact.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****SB 1388*****AN ACT CONCERNING ATTORNEYS ADMITTED PRO HAC VICE.*****SUMMARY:**

By law, an attorney who is licensed in another state who is temporarily admitted to practice law in Connecticut for a particular case is subject to the occupational tax on attorneys. This bill specifies that this only applies to attorneys who are temporarily admitted to practice by a state Superior Court, Appellate Court, or Supreme Court judge. Thus, the bill makes clear that the tax does not apply to attorneys temporarily admitted to practice in federal court in Connecticut by a federal judge.

This type of temporary admission to practice law is called “pro hac vice”.

EFFECTIVE DATE: October 1, 2007

**BACKGROUND*****“Pro Hac Vice”***

The term “pro hac vice” generally means for this occasion or for this event. It is a legal term usually referring to a lawyer who has not been permanently admitted to practice in a certain jurisdiction, but who has been allowed to participate in a particular case in that jurisdiction.

***Occupational Tax***

By law, anyone who has been admitted as an attorney by the judges of the Superior Court must, by January 15th, file an annual tax return. If the person practiced law in the year preceding the year in which an occupational tax is due, he must pay \$450. The law requires that anyone who has been admitted as an attorney pro hac vice and practiced law in Connecticut, to file a return and pay the tax for any

year in which he was admitted (CGS § 51-81b(a)).

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 39 Nay 0 (04/02/2007)