



General Assembly

January Session, 2007

Raised Bill No. 1455

LCO No. 6144

06144_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT REQUIRING THE OFFICE OF THE CLAIMS COMMISSIONER
TO PROVIDE NOTICE OF GENERAL ASSEMBLY REVIEW
PROCEDURES TO CLAIMANTS SEEKING OR ENTITLED TO REVIEW.**

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

1 Section 1. Section 4-154 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Not later than ninety days after hearing a claim, the Claims
4 Commissioner shall render a decision as provided in subsection (a) of
5 section 4-158. The Claims Commissioner shall make a finding of fact
6 for each claim and file such finding with the order, recommendation or
7 authorization disposing of the claim. The clerk of the Office of the
8 Claims Commissioner shall deliver a copy of such finding and order,
9 recommendation or authorization to the claimant and to the
10 representative for the state, which representative may in appropriate
11 cases be the Attorney General.

12 (b) If such claim will automatically be submitted to the General
13 Assembly by the Claims Commissioner pursuant to the provisions of
14 subdivision (1) of subsection (a) of section 4-159, as amended by this

15 act, the clerk shall give written notice to the claimant (1) that such
16 claim will be so submitted and that the General Assembly may accept,
17 modify or reject the recommendation of the Claims Commissioner or
18 remand the claim to the Claims Commissioner, and (2) that (A)
19 indicates the date of the convening of the regular session of the
20 General Assembly during which such claim will be considered and the
21 telephone number of the joint standing committee of the General
22 Assembly having cognizance of matters relating to such claims, and (B)
23 includes a statement that the claimant may contact the committee for
24 information regarding the date and time for a hearing on such claim
25 and information regarding the process for testifying on such claim.

26 (c) (1) If the claimant has the right pursuant to subsection (b) of
27 section 4-158, as amended by this act, to request the General Assembly
28 to review the decision of the Claims Commissioner, the clerk shall give
29 written notice to the claimant that the claimant may request the
30 General Assembly to review the decision and that the General
31 Assembly may confirm, modify or vacate the decision or remand the
32 claim to the Claims Commissioner. The notice shall indicate the date
33 by which such a request must be filed with the Office of the Claims
34 Commissioner.

35 (2) If the claimant files a request for review of the decision in
36 accordance with subsection (b) of section 4-158, as amended by this act,
37 the clerk shall give written notice to the claimant that (A) indicates the
38 date of the convening of the regular session of the General Assembly
39 during which such claim will be considered and the telephone number
40 of the joint standing committee of the General Assembly having
41 cognizance of matters relating to such claims, and (B) includes a
42 statement that the claimant may contact the committee for information
43 regarding the date and time for a hearing on such claim and
44 information regarding the process for testifying on such claim.

45 Sec. 2. Subsection (b) of section 4-158 of the general statutes is
46 repealed and the following is substituted in lieu thereof (*Effective*

47 *October 1, 2007*):

48 (b) Any person who has filed a claim for more than seven thousand
49 five hundred dollars may request the General Assembly to review a
50 decision of the Claims Commissioner (1) ordering the denial or
51 dismissal of the claim pursuant to subdivision (1) of subsection (a) of
52 this section, including denying or dismissing a claim that requests
53 permission to sue the state, or (2) ordering immediate payment of a
54 just claim in an amount not exceeding seven thousand five hundred
55 dollars pursuant to subdivision (2) of subsection (a) of this section. A
56 request for review of a decision shall be made in writing and shall be
57 filed with the Office of the Claims Commissioner not later than twenty
58 days after the date the person requesting such review receives a copy
59 of the decision. The filing of a request for review shall automatically
60 stay the decision of the Claims Commissioner.

61 Sec. 3. Subsection (a) of section 4-159 of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective*
63 *October 1, 2007*):

64 (a) Not later than five days after the convening of each regular
65 session and at such other times as the speaker of the House of
66 Representatives and president pro tempore of the Senate may desire,
67 the Claims Commissioner shall submit to the General Assembly (1) all
68 claims for which the Claims Commissioner recommended payment of
69 a just claim in an amount exceeding seven thousand five hundred
70 dollars pursuant to subdivision (3) of subsection (a) of section 4-158,
71 [and] (2) all claims for which a request for review has been filed
72 pursuant to subsection (b) of section 4-158, as amended by this act,
73 [together with a copy of the Claim] and (3) a copy of the Claims
74 Commissioner's findings and the hearing record of each claim [so]
75 reported pursuant to this subsection, including a copy of any written
76 notice provided by the clerk of the Office of the Claims Commissioner
77 to the claimant pursuant to subsection (b) or (c) of section 4-154, as
78 amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	4-154
Sec. 2	<i>October 1, 2007</i>	4-158(b)
Sec. 3	<i>October 1, 2007</i>	4-159(a)

Statement of Purpose:

To require the Office of the Claims Commissioner to give information concerning the General Assembly's claim review process to claimants seeking or entitled to a review by the General Assembly.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]