



Senate

General Assembly

File No. 268

February Session, 2008

Senate Bill No. 485

Senate, March 31, 2008

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 WAIVING COURT FEES FOR CRIMINAL RECORDS
PROVIDED TO FEDERAL PUBLIC DEFENDERS.***

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

1 Section 1. Section 52-259a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2008*):

3 (a) Any member of the Division of Criminal Justice or the Division
4 of Public Defender Services, any employee of the Judicial Department,
5 acting in the performance of such employee's duties, the Attorney
6 General, an assistant attorney general, the Consumer Counsel, any
7 attorney employed by the Office of Consumer Counsel within the
8 Department of Public Utility Control, the Department of Revenue
9 Services, the Commission on Human Rights and Opportunities, the
10 Freedom of Information Commission, the Board of Labor Relations,
11 the Office of Protection and Advocacy for Persons with Disabilities, the
12 Office of the Victim Advocate or the Department of Social Services, or
13 any attorney appointed by the court to assist any of them or to act for
14 any of them in a special case or cases, while acting in such attorney's

15 official capacity or in the capacity for which such attorney was
 16 appointed, shall not be required to pay the fees specified in sections 52-
 17 258, 52-259, and 52-259c, subsection (a) of section 52-356a, subsection
 18 (a) of section 52-361a, section 52-367a of the 2008 supplement to the
 19 general statutes, subsection (b) of section 52-367b of the 2008
 20 supplement to the general statutes and subsection (n) of section 46b-
 21 231 of the 2008 supplement to the general statutes.

22 (b) (1) The Immigration and Naturalization Service shall not be
 23 required to pay any fees specified in section 52-259 for any certified
 24 copy of any criminal record.

25 (2) The Office of the Federal Public Defender shall not be required to
 26 pay any fees specified in section 52-259 for any certified copy of any
 27 criminal record.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2008	52-259a

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 09 \$	FY 10 \$
Judicial Dept.	GF - Revenue Loss	Less than 10,000	Less than 10,000

Note: GF=General Fund

Municipal Impact: None

Explanation

To the extent that waiving these court fees does not conform statute to current practice, a revenue loss anticipated to be less than \$10,000 would occur under the bill.

The Out Years

The annualized ongoing fiscal impact identified above would remain relatively constant into the future since fee amounts are set by statute.

OLR Bill Analysis**SB 485*****AN ACT WAIVING COURT FEES FOR CRIMINAL RECORDS
PROVIDED TO FEDERAL PUBLIC DEFENDERS.*****SUMMARY:**

The bill eliminates the requirement that the Office of the Federal Public Defender pay the fee specified in CGS § 52-259 for any certified copy of any criminal record. That statute does not explicitly mention fees for copies of criminal records but it requires a \$25 fee for a certified copy of any judgment file.

EFFECTIVE DATE: July 1, 2008

BACKGROUND***Related Law***

The law exempts the Immigration and Naturalization Service from paying these fees (CGS § 52-259a(b)(1)).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 38 Nay 1 (03/12/2008)