



General Assembly

January Session, 2009

Committee Bill No. 5099

LCO No. 3228

* HB05099BA 031309 *

Referred to Committee on Banks

Introduced by:
(BA)

***AN ACT CONCERNING REPOSSESSION OF MOTOR VEHICLES
FROM RETAIL BUYERS.***

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

1 Section 1. Subsection (a) of section 36a-785 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (a) When the retail buyer is in default in the payment of any sum
5 due under the retail installment contract or installment loan contract,
6 or in the performance of any other condition [which] that such contract
7 requires him to perform, or in the performance of any promise, the
8 breach of which is by such contract expressly made a ground for the
9 retaking of the goods, the holder of the contract may retake possession
10 thereof, provided the filing of a petition in bankruptcy under 11 USC
11 Chapter 7 by a retail buyer of a motor vehicle, or such retail buyer's
12 status as a debtor in bankruptcy, shall not be considered a default of a
13 retail installment contract or ground for repossession of such motor
14 vehicle. Unless the goods can be retaken without breach of the peace, it
15 shall be retaken by legal process, but nothing herein contained shall be
16 construed to authorize a violation of the criminal law. In the case of

17 repossession of any motor vehicle without the knowledge of the retail
18 buyer, the local police department shall be notified of such
19 repossession immediately thereafter. In the absence of a local police
20 department or if the local police department cannot be reached for
21 notification, the state police shall be promptly notified of such
22 repossession.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	36a-785(a)

BA *Joint Favorable*