



General Assembly

January Session, 2009

Raised Bill No. 1114

LCO No. 4626

04626_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING COSTS AND ATTORNEY'S FEES IN AN ACTION OF FORECLOSURE OR UPON A BOND SUBSTITUTED FOR A MECHANIC'S LIEN.

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

1 Section 1. Subsection (a) of section 52-249 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (a) The plaintiff in any action of foreclosure of a mortgage or lien,
5 upon obtaining a judgment of foreclosure, [when there has been a
6 hearing as to the form of judgment or the limitation of time for
7 redemption, shall be allowed the same costs, including a reasonable
8 attorney's fee, as if there had been a hearing on an issue of fact. The
9 same costs and fees shall be recoverable as part of the judgment] shall
10 be allowed costs and reasonable attorney's fees. A plaintiff who
11 prevails in any action upon a bond which has been substituted for a
12 mechanic's lien shall be allowed costs and reasonable attorney's fees.

13 Sec. 2. Section 52-249a of the general statutes is repealed. (*Effective*
14 *October 1, 2009*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	52-249(a)
Sec. 2	<i>October 1, 2009</i>	Repealer section

Statement of Purpose:

To clarify provisions concerning the award of costs and attorney's fees in an action of foreclosure of a mortgage or lien or an action upon a bond which has been substituted for a mechanic's lien.

[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.]