



General Assembly

January Session, 2009

**Raised Bill No. 1136**

LCO No. 4912

\*04912\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING CLAIMS AGAINST THE STATE.***

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

1 Section 1. Section 4-158 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage and*  
3 *applicable to claims filed prior to, on or after said date*):

4 (a) The Claims Commissioner may (1) order that a claim be denied  
5 or dismissed, (2) order immediate payment of a just claim in an  
6 amount not exceeding seven thousand five hundred dollars, (3)  
7 recommend to the General Assembly payment of a just claim in an  
8 amount exceeding seven thousand five hundred dollars, or (4)  
9 authorize a claimant to sue the state, as provided in section 4-160.

10 (b) Any person who has filed a claim for more than seven thousand  
11 five hundred dollars may request the General Assembly to review a  
12 decision of the Claims Commissioner (1) ordering the denial or  
13 dismissal of the claim pursuant to subdivision (1) of subsection (a) of  
14 this section, including denying or dismissing a claim that requests  
15 permission to sue the state, or (2) ordering immediate payment of a  
16 just claim in an amount not exceeding seven thousand five hundred

17 dollars pursuant to subdivision (2) of subsection (a) of this section. A  
18 request for review shall be in writing and filed with the Office of the  
19 Claims Commissioner not later than twenty days after the date the  
20 person requesting such review receives a copy of the decision. The  
21 filing of a request for review shall automatically stay the decision of  
22 the Claims Commissioner.

23 (c) The Claims Commissioner shall submit each claim for which a  
24 request for review is filed pursuant to this section to the General  
25 Assembly pursuant to section 4-159.

26 (d) If the Claims Commissioner orders immediate payment of a just  
27 claim in an amount not exceeding seven thousand five hundred dollars  
28 pursuant to subdivision (2) of subsection (a) of this section and a  
29 request for review is not timely filed pursuant to subsection (b) of this  
30 section, the clerk of the Office of the Claims Commissioner shall  
31 deliver to the Comptroller a certified copy of the Claims  
32 Commissioner's order and the Comptroller shall make payment from  
33 such appropriation as the General Assembly may have made for the  
34 payment of claims or, in the case of contractual claims for goods or  
35 services furnished or for property leased, from the appropriation of the  
36 agency which received such goods or services or occupied such  
37 property.

38 (e) Whenever the Claims Commissioner deems it just and equitable,  
39 the Claims Commissioner may, at any time prior to the submission of a  
40 claim to the General Assembly pursuant to subsection (a) of section 4-  
41 159, vacate the decision made pursuant to subsection (a) of this section  
42 and undertake such further proceedings in accordance with this  
43 chapter as the Claims Commissioner may, in his or her discretion,  
44 deem appropriate.

45 [(e)] (f) Not later than five days after the convening of each regular  
46 session, the Claims Commissioner shall report to the General  
47 Assembly on all claims decided pursuant to this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to claims filed prior to, on or after said date</i>	4-158

**Statement of Purpose:**

To authorize the Claims Commissioner to vacate a decision made on a claim against the state and undertake further proceedings with respect to such claim.

*[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.]*