



House of Representatives

General Assembly

File No. 504

February Session, 2010

Substitute House Joint Resolution No. 11

House of Representatives, April 13, 2010

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute joint resolution ought to be adopted.

RESOLUTION VACATING THE DECISION OF THE CLAIMS COMMISSIONER TO DISMISS THE CLAIMS AGAINST THE STATE OF BRYAN BROUILLARD AND AUTHORIZING THE CLAIMANT TO SUE THE STATE.

Resolved by this Assembly:

- 1 That the decision of the Claims Commissioner, file numbers 21727
- 2 and 21806 of said commissioner, ordering the dismissal of the claims
- 3 against the state in excess of seven thousand five hundred dollars of
- 4 Bryan Brouillard, is vacated and the claimant is authorized to institute
- 5 and prosecute to final judgment an action against the state to recover
- 6 damages as compensation for injury to person or damage to property,
- 7 or both, allegedly suffered by the claimant as set forth in said claims.
- 8 Such action shall be brought not later than one year from the date of
- 9 the final adoption by the General Assembly of this resolution.

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Account Affected	Fund-Effect	FY 11 \$	FY 12 \$
Adjudicated Claims	GF - Cost	Indeterminate	Indeterminate

Note: GF=General Fund

Municipal Impact: None

Explanation

Passage of the resolution accepting the recommendation of the Claims Commissioner would permit Bryan Brouillard to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$5 million or more as set forth in said claims. The impact cost to the state cannot be determined as the outcome of this future lawsuit is unknown.¹

The Out Years

Due to the timing of lawsuit settlement, the fiscal impact identified above could occur in the out years, but would not continue further into the future since payment of the claim should resolve the matter.

¹ Notwithstanding the claimant's failure to file within the time limitations specified by statute.

OLR Bill Analysis

sHJ 11

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SUMMARY:

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 42 Nay 0 (03/29/2010)