



STATEMENT REGARDING

House Bill 5473: *AAC Actions to Recover Damages for the Sexual Abuse, Sexual Exploitation or Sexual Assault of a Minor*

Judiciary Committee

March 10th, 2010

The MetroHartford Alliance is Hartford's Chamber of Commerce and the region's economic development leader. Our investors include businesses of all sizes, health care providers, non-profits, institutions of higher education, and 34 municipalities. The Alliance's mission is to ensure that the Hartford Region competes aggressively and successfully for jobs, talent and capital so that it thrives as one of the nation's premier places for all people to live, work, play, and raise a family.

While we fully acknowledge the seriousness of the claims that have led to the promulgation of this legislation, we are very concerned about the potential precedents and implications that are embedded in enacting legislation on a retroactive basis which thereby undermines the purpose and history of statutes of limitation, which this legislation proposes to remove entirely.

Such statutes, which clearly recognize plaintiffs' need for adequate time to pursue their causes of action, are designed to protect individuals, corporations, and institutions from limitless litigation and to provide them and their insurers with a degree of legal certainty that makes it possible to evaluate, fund, and manage risk. Moreover, as cited in testimony submitted by the Insurance Association of Connecticut on a similar bill in 2009, judicial decisions that have examined reviving causes of action that have expired under a statute of limitations have concluded that such legislation violates the due process rights of defendants.

Given the need to balance plaintiffs' needs with the equally important imperative of legal certainty and predictability and the challenge of competing legal rights raised by HB 5473, we urge you to reject this legislation.