



House Bill No. 6595

Public Act No. 11-237

AN ACT CONCERNING THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES.

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

Section 1. Subsection (a) of section 1-2b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) For purposes of sections 1-100oo, 1-206, 2-71r, 4-183, 4a-52a, 4a-60q, 4a-63, 4a-100, 4e-34, 4e-35, 7-65, 7-148w, 7-247a, 7-473c, 7-478e, 8-3b, 8-3i, 8-7d, 8-26b, 8-169r, 8-293, 9-388, 9-608, 9-623, 10a-22c, 10a-22i, 10a-34a, 10a-109n, 12-35, 12-157, 12-242ii, 12-242jj, 13a-80, 13a-85c, 13a-123, 15-11a, 16-41, 16-50c, 16-50d, 17a-103b, 19a-87, 19a-87c, 19a-209c, 19a-332e, 19a-343a, 19a-486a, 19a-486c, 19a-486d, 19a-497, 19a-507b, 20-205a, 20-325a, 21-63, 21-80, 22-7, 22a-6b, 22a-6u, 22a-30, 22a-42d, 22a-42f, 22a-66d, 22a-137, 22a-178, 22a-225, 22a-228, 22a-250, 22a-285b, 22a-354p, 22a-354s, 22a-354t, 22a-361, 22a-371, 22a-401, 22a-403, 22a-433, 22a-436, 22a-449f, 22a-449l, 22a-449n, 22a-504, 22a-626, 23-46, 23-65j, 23-65l, 23-65p, 25-32, 25-32e, 25-331, 25-34, 25-204, 25-234, 29-108d, 31-57c, 31-57d, 31-355, 32-613, 33-663, 33-929, 33-1053, 33-1219, 34-521, 35-42, 36a-50, 36a-51, 36a-52, 36a-53, 36a-82, 36a-184, 36a-493, 36b-62, 36b-72, 38-323a, 38a-344, 38a-676, 38a-724, 38a-788, 42-158j, 42-161, 42-181, 42-182, 42-186, 42-271, 45a-716, [46a-82e,] 46b-115w, 46b-128, 47-42d, 47-

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74f, 47-88b, 47-236, 47-284, 47a-11b, 47a-11d, 47a-13a, 47a-14h, 47a-56b, 49-2, 49-4a, 49-8, 49-8a, 49-10b, 49-31b, 49-51, 49-70, 51-90e, 52-57, 52-59b, 52-63, 52-64, 52-195c, 52-350e, 52-351b, 52-361a, 52-362, 52-565a, 52-605, 52-606, 53-401, 53a-128, 53a-128d, 53a-207 and 54-82c and chapter 965, any reference to certified mail, return receipt requested, shall include mail, electronic, and digital methods of receiving the return receipt, including all methods of receiving the return receipt identified by the Mailing Standards of the United States Postal Service in Chapter 500 of the Domestic Mail Manual or any subsequent corresponding document of the United States Postal Service.

Sec. 2. Section 46a-55 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) The executive director, through the supervising attorney, shall assign a commission legal counsel to represent the commission in any proceeding wherein any state agency or state officer is an adversary party and in such other matters as the commission and the Attorney General may jointly prescribe.

(b) The executive director, through the supervising attorney, may assign a commission legal counsel to represent the commission in any hearing or appeal under subdivision (3) of subsection (b) of section 4-61dd, as amended by this act.

Sec. 3. Subsection (b) of section 46a-82c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(b) The time frame contained in subsection (b) of section 46a-83, as amended by this act, to conduct a merit assessment review [of the file] shall be tolled if an answer is not timely received from the date the respondent's answer is due pursuant to subsection (a) of section 46a-83, as amended by this act, until the date the answer is actually

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received by the commission.

Sec. 4. Subsection (b) of section 46a-82e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(b) The commission shall report annually to the judiciary committee of the General Assembly and the Governor: (1) The number of cases in the previous fiscal year that exceeded the time frame, including authorized extensions, set forth in subsection [(d)] (e) of section 46a-83, as amended by this act; (2) the reasons for the failure to comply with the time frame; (3) the number of actions brought pursuant to subsection (d) of this section and the results thereof; and (4) the commission's recommendations for legislative action, if any, necessary for the commission to meet the statutory time frame.

Sec. 5. Subsection (c) of section 46a-82e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(c) If a complaint has been pending for more than twenty-one months from the date of filing and the commission has not issued a finding of reasonable cause or no reasonable cause, the executive director shall [send a notice by certified mail, return receipt requested, advising the complainant of his] notify the complainant by first class mail, facsimile machine, electronic mail or a file transfer protocol site that the complainant has the right to request a release of jurisdiction in accordance with section 46a-101, as amended by this act. The executive director or [his] the executive director's designee shall investigate the cause for the delay in issuing a finding. After such investigation, the executive director may, given the facts and circumstances of the case, schedule a date certain for issuance of a finding of reasonable cause or no reasonable cause.

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Sec. 6. Section 46a-83 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) Within twenty days after the filing of any discriminatory practice complaint pursuant to subsection (a) or (b) of section 46a-82, or an amendment to such complaint adding an additional respondent, the commission shall [cause the complaint to be served upon the respondent together with a notice (1) identifying the alleged discriminatory practice, and (2)] provide the respondent by first class mail, facsimile machine, electronic mail or a file transfer protocol site with the complaint and a notice advising of the procedural rights and obligations of a respondent under this chapter. The respondent shall file a written answer to the complaint under oath with the commission within thirty days of receipt of the complaint, provided a respondent may request, and the commission may grant, for good cause shown, one extension of time of fifteen days within which to file an answer to a complaint. The answer to any complaint alleging a violation of section 46a-64c or 46a-81e shall be filed within ten days of receipt.

(b) Within ninety days of the filing of the respondent's answer to the complaint, the executive director or the executive director's designee shall conduct a merit assessment review. [the file.] The merit assessment review shall include the complaint, the respondent's answer and the responses to the commission's requests for information, if any, and the complainant's comments, if any, to the respondent's answer and information responses. If the executive director or the executive director's designee determines that the complaint fails to state a claim for relief or is frivolous on its face, that the respondent is exempt from the provisions of this chapter or that there is no reasonable possibility that investigating the complaint will result in a finding of reasonable cause, [the complaint shall be dismissed.] the executive director or the executive director's designee shall dismiss the complaint and send notice of dismissal pursuant to

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section 46a-86a, as amended by this act. Within fifteen days of the sending of the notice of dismissal, the complainant may request a release of jurisdiction allowing the complainant to bring a civil action under section 46a-100. If the complainant does not request a release of jurisdiction, commission legal counsel shall conduct a legal review of any complaint dismissed pursuant to this subsection and shall reinstate or deny reinstatement of the complaint within sixty days of the sending of the notice of dismissal. The executive director or the executive director's designee shall send notice of any action taken pursuant to the merit assessment review and the legal review conducted pursuant to this subsection in accordance with section 46a-86a, as amended by this act. This subsection shall not apply to any complaint alleging a violation of section 46a-64c or 46a-81e. The executive director shall report the results of the [executive director's determinations] merit assessment reviews made pursuant to this subsection to the commission quarterly during each year.

(c) (1) If a complaint is not dismissed after the merit assessment review pursuant to subsection (b) of this section or if a complaint is reinstated after legal review pursuant to said subsection (b), the executive director or designee shall assign an investigator or commission legal counsel to hold a mandatory mediation conference within sixty days of sending notice of action taken pursuant to the merit assessment review or legal review. The mandatory mediation conference may be scheduled for the same time as a fact-finding conference held pursuant to subsection (d) of this section. The mediator may hold additional mediation conferences to accommodate settlement discussions.

(2) If the complaint is not resolved after the mandatory mediation conference, the complainant, the respondent or the commission may request early legal intervention. If a request for early legal intervention is made, the executive director or the executive director's designee

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shall determine within ninety days of the request whether (A) the complaint should be heard pursuant to section 46a-84, as amended by this act, (B) the complaint should be processed pursuant to subsection (d) of this section, or (C) the complainant should be released from the jurisdiction of the commission. In making such determination, the executive director or the executive director's designee may hold additional proceedings and may utilize commission staff. If the executive director or the executive director's designee determines that the complaint should be processed pursuant to subsection (d) of this section, the executive director or the executive director's designee may recommend that the investigator make a finding of no reasonable cause. If the executive director or the executive director's designee recommends that the investigator make a finding of no reasonable cause, the investigator shall make such a finding unless the investigator believes the executive director or the executive director's designee made a mistake of fact. If the investigator intends to make a finding of reasonable cause after the executive director or the executive director's designee recommends otherwise, the investigator shall consult with the executive director or the executive director's designee.

(3) If the complaint is not resolved after the mandatory mediation conference, the complainant or the respondent may request the commission to hold additional mediation conferences.

(4) The commission may dismiss the complaint if (A) a complainant, after notice and without good cause, fails to attend a mandatory mediation conference; or (B) the respondent has eliminated the discriminatory practice complained of, taken steps to prevent a like occurrence in the future and offered full relief to the complainant, even though the complainant has refused such relief.

[(c) The] (d) If the complaint is not resolved after the mandatory mediation conference held pursuant to subsection (c) of this section or the executive director determines that the complaint should be

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processed pursuant to this subsection in accordance with subdivision (2) of subsection (c) of this section, the executive director [of the commission] or [his] the executive director's designee shall [determine the most appropriate method for processing any complaint pending after review in accordance with subsection (b) of this section] assign an investigator to process the complaint within fifteen days after the mandatory mediation conference. The [commission] investigator may conduct [mandatory mediation sessions, expedited or extended] a fact-finding [conferences or] conference, a complete [investigations] investigation, including, but not limited to, individual witness interviews, requests for voluntary disclosure of information, subpoenas of witnesses or documents, requests for admission of facts, interrogatories, site visits or any other lawful means of finding facts, or any combination thereof [during the investigatory process] for the purpose of [finding facts, promoting the voluntary resolution of complaints or] determining if there is reasonable cause for believing that a discriminatory practice has been or is being committed as alleged in the complaint. As used in this section and section 46a-84, as amended by this act, [reasonable cause] "reasonable cause" means a bona fide belief that the material issues of fact are such that a person of ordinary caution, prudence and judgment could believe the facts alleged in the complaint. [A complaint may be dismissed if a complainant, after notice and without good cause, fails to attend a mandatory mediation session. A mediator may recommend, but not order, a resolution of the complaint. A complaint may be dismissed if the respondent has eliminated the discriminatory practice complained of, taken steps to prevent a like occurrence in the future and offered full relief to the complainant, even though the complainant has refused such relief.] The executive director or the executive director's designee may dismiss the complaint if the complainant, after notice, and without good cause, fails to attend a fact-finding conference.

[(d)] (e) (1) Before issuing a finding of reasonable cause or no

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reasonable cause, the investigator shall afford each party and [his] each party's representative an opportunity to provide written or oral comments on all evidence in the commission's file, except as otherwise provided by federal law or [any other provision of] the general statutes. The investigator shall consider such comments [in] before making [his determination] a finding. The investigator shall make a finding of reasonable cause or no reasonable cause in writing and shall list the factual findings on which it is based not later than one hundred ninety days from the date of the [determination based on the review of the complaint, conducted pursuant to subsection (b) of this section] merit assessment review, except that for good cause shown, the executive director or [his] the executive director's designee may grant no more than two extensions of the investigation of three months each.

(2) If the investigator makes a [determination] finding that there is reasonable cause to believe that a violation of section 46a-64c has occurred, the complainant and the respondent shall have twenty days from [receipt] sending of [notice of] the reasonable cause finding to elect a civil action in lieu of an administrative hearing pursuant to section 46a-84, as amended by this act. If either the complainant or the respondent requests a civil action, the commission, through the Attorney General or a commission legal counsel, shall commence an action pursuant to subsection (b) of section 46a-89 within ninety days of receipt of the [complainant's or the respondent's] notice of election. [of a civil action.] If the Attorney General or a commission legal counsel [, and a commissioner, believe] believes that injunctive relief, punitive damages or a civil penalty would be appropriate, such relief, damages or penalty may also be sought. [pursuant to said subsection. Any civil] The jurisdiction of the Superior Court in an action brought under this subdivision shall be limited to such claims, counterclaims, defenses or the like that [would be required for the commission to have jurisdiction over the complaint] could be presented at an administrative hearing before the commission, had the complaint

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remained with the commission for disposition. A complainant may intervene as a matter of right in a civil action without permission of the court or the parties. If the Attorney General or commission legal counsel, as the case may be, determines that the interests of the state will not be adversely affected, the complainant or attorney for the complainant shall present all or part of the case in support of the complaint. If the Attorney General or a commission legal counsel determines that a material mistake of law or fact has been made in [such] the finding of reasonable cause, the Attorney General or a commission legal counsel may decline to bring a civil action and [, in such case,] shall remand the file to the investigator for further action. The investigator shall complete any such action not later than ninety days after receipt of such file.

[(e)] ~~(f)~~ If the investigator issues a finding of no reasonable cause or if the complaint is dismissed [(1) for failure to state a claim for relief, (2) because it is frivolous on its face, (3) because the respondent is exempt from the provisions of this chapter, or (4) because there is no reasonable possibility that investigating the complaint will result in a finding of reasonable cause or if the complaint is dismissed] pursuant to subsection [(c)] ~~(d)~~ of this section, the complainant may file a written request for reconsideration [of such finding or dismissal] with the executive director [of the commission,] or the executive director's designee, not later than fifteen days from the [issuance] sending of such finding or dismissal. A request for reconsideration shall state specifically the reasons why reconsideration should be granted. The executive director [of the commission,] or the executive director's designee [,] shall [reconsider] grant or reject reconsideration within ninety days of the [issuance] sending of such finding or dismissal. The executive director [of the commission,] or the executive director's designee [,] shall conduct such additional proceedings as may be necessary to render a decision on the request. [for reconsideration.]

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[(f) Upon a determination] (g) After finding that there is reasonable cause to believe that a discriminatory practice has been or is being committed as alleged in the complaint, an investigator shall attempt to eliminate the practice complained of by conference, conciliation and persuasion within fifty days of [a] the finding. [of reasonable cause.] The refusal to accept a settlement shall not be grounds for dismissal of any complaint.

[(g)] (h) No commissioner or employee of the commission may disclose, except to the parties or their representatives, what has occurred in the course of such endeavors provided the commission may publish the facts in the case and any complaint which has been dismissed and the terms of conciliation when a complaint has been adjusted. Each party and his representative shall have the right to inspect and copy documents, statements of witnesses and other evidence pertaining to [his] the complaint, except as otherwise provided by federal law or [any other provision of] the general statutes.

[(h)] (i) In the investigation of any complaint filed pursuant to this chapter, the commission may issue subpoenas requiring the production of records and other documents. [relating to the complaint under investigation.]

[(i)] (j) The executive director [of the commission] or [his] the executive director's designee may enter an order of default against a respondent [(1)] who [,] (1) after notice, fails to answer a complaint in accordance with subsection (a) of this section or within such extension of time as may have been granted; [or] (2) [who] fails to answer interrogatories issued pursuant to subdivision (11) of section 46a-54 or fails to respond to a subpoena issued pursuant to subsection [(h)] (i) of this section [and] or subdivision (9) of section 46a-54, provided the executive director or [his] the executive director's designee shall consider any timely filed objection; [or] (3) [who,] after notice and

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without good cause, fails to attend a fact-finding conference; or (4) after notice and without good cause, fails to attend a mandatory mediation [session] conference. Upon entry of an order of default, the executive director or [his] the executive director's designee shall appoint a presiding officer to enter, after notice and hearing, an order eliminating the discriminatory practice complained of and making the complainant whole. The commission or the complainant may petition the Superior Court for enforcement of any order for relief pursuant to section 46a-95, as amended by this act.

Sec. 7. Section 46a-83a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

[(a)] If [a complaint is dismissed] (1) a complainant requests a release of jurisdiction pursuant to subsection (b) of section 46a-83, as amended by this act, (2) a commission legal counsel denies reinstatement of a complaint pursuant to subsection (b) of said section, or (3) a complaint is dismissed for failure to accept full relief pursuant to subsection (c) of said section, and the complainant does not request reconsideration of such dismissal as provided in subsection [(e)] (f) of said section, the executive director [of the commission] shall issue a release and the complainant may, within ninety days of receipt of the release from the commission, bring an action in accordance with sections 46a-100 and 46a-102 to 46a-104, inclusive, as amended by this act.

[(b)] The executive director of the commission may, upon the complainant's request, issue a release from the commission if (1) a complaint is dismissed pursuant to subsection (b) of section 46a-83, and (2) the complainant requests reconsideration of the dismissal and the reconsideration request has been granted or denied, or the reconsideration request has not yet been acted upon in accordance with subsection (e) of section 46a-83. Whenever a reconsideration request has been granted or denied, a request for a release from the

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commission shall be made within fifteen days of receipt of the notice granting or denying such reconsideration request. The complainant may, within ninety days of receipt of the release from the commission, bring an action in accordance with section 46a-100 and sections 46a-102 to 46a-104, inclusive.]

Sec. 8. Subsection (d) of section 46a-84 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(d) The case in support of the complaint shall be presented at the hearing by the Attorney General, who shall be counsel for the commission, or by a commission legal counsel as provided in section 46a-55, as amended by this act, as the case may be. If the Attorney General or the commission legal counsel determines that a material mistake of law or fact has been made in the finding of reasonable cause on a complaint filed pursuant to subsection (a) or (b) of section 46a-82, the Attorney General or the commission legal counsel may withdraw the certification of the complaint and remand the file to the investigator for further action. The complainant may be represented by an attorney of the complainant's own choice. If the Attorney General or the commission legal counsel, as the case may be, determines that the interests of the state will not be adversely affected, the complainant or the attorney for the complainant shall present all or part of the case in support of the complaint. No commissioner may participate in the deliberations of the presiding officer in the case.

Sec. 9. Subsection (c) of section 46a-86 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(c) In addition to any other action taken under this section, upon a finding of a discriminatory practice prohibited by section 46a-58, 46a-59, 46a-64, 46a-64c, 46a-81b, 46a-81d or 46a-81e, the presiding officer

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shall determine the damage suffered by the complainant, which damage shall include, but not be limited to, the expense incurred by the complainant for obtaining alternate housing or space, storage of goods and effects, moving costs and other costs actually incurred by the complainant as a result of such discriminatory practice and shall allow reasonable attorney's fees and costs. The amount of attorney's fees allowed shall not be contingent upon the amount of damages requested by or awarded to the complainant.

Sec. 10. Section 46a-86a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

The Commission on Human Rights and Opportunities shall inform [a] the complainant and the respondent of any finding, closure, dismissal or other determination or proceeding concerning the complaint filed by such complainant by [mail] first class mail, facsimile machine, electronic mail or a file transfer protocol site.

Sec. 11. Subsection (a) of section 46a-94a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) The Commission on Human Rights and Opportunities, any respondent or any complainant aggrieved by a final order of a presiding officer or any complainant aggrieved by the dismissal of his complaint by the commission for failure to attend a mandatory mediation session as provided in subsection (c) of section 46a-83, as amended by this act, a finding of no reasonable cause as provided in subsection [(d)] (e) of said section 46a-83 or rejection of reconsideration of any dismissal as provided in subsection [(e)] (f) of said section 46a-83, may appeal therefrom in accordance with section 4-183. The court on appeal shall also have jurisdiction to grant to the commission, respondent or complainant such temporary relief or restraining order as it deems just and suitable, and in like manner to make and enter a

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decree enforcing or modifying and enforcing as so modified or setting aside, in whole or in part, the order sought to be reviewed.

Sec. 12. Section 46a-95 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) The commission, through the Attorney General [.] or a commission legal counsel, or the complainant may petition the superior court [within] for the judicial district [wherein] of Hartford, the judicial district where any discriminatory practice occurred or the judicial district in which any person charged with a discriminatory practice resides or transacts business [.] for the enforcement of any order issued by a presiding officer under [the provisions of] this chapter and for appropriate temporary relief [or] of a restraining order.

(b) The commission shall certify and file in the court [a transcript of the entire record of the proceedings sought to be enforced including the pleadings and testimony upon which the order was made and the finding and orders] the order of the presiding officer as part of the commission's petition or upon order of the court.

(c) Within five days after filing [such] a petition in court, the commission or the complainant shall [cause a notice of] (1) serve the petition [to be sent] by registered or certified mail to all parties [or their representatives] identified in the order issued by the presiding officer or the representatives of such parties, and (2) file with the court an affidavit stating the date and manner in which each party was served.

(d) The court shall: (1) [Have jurisdiction of the proceedings and of the questions determined thereon, (2) have the power to grant] Grant such relief by injunction or otherwise, including temporary relief, as it deems just and suitable, and [(3) enter, based on the pleadings, testimony and proceedings set forth in the transcript, a decree enforcing, modifying and enforcing as so modified, or remanding to

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the commission or presiding officer, in whole or in part, any order of the commission or presiding officer.] (2) enter a decree enforcing any order of the presiding officer. The court may remand, in whole or in part, any order of the presiding officer, provided any such remand shall be limited to clarifying any ambiguity in the relief ordered. The court shall retain jurisdiction over the order while the presiding officer complies with the remand. Unless the relief ordered by the presiding officer is ambiguous, the court shall order the party in noncompliance to comply immediately with the presiding officer's order. The court shall award the costs of enforcement, including reasonable attorney's fees, to the commission or the complainant.

(e) No objection or defense that has not been urged before the presiding officer or that was raised or could have been raised on appeal under section 46a-94a, as amended by this act, may be considered by the court. [unless the failure to urge such objection is excused because of extraordinary circumstances.] Petitions pursuant to this section shall be limited to resolving whether the relief ordered by the presiding officer is sufficiently clear to enforce and shall not be deemed an appeal of or collateral attack on the order of the presiding officer.

[(f) If either party applies to the court for leave to adduce additional evidence and shows to the satisfaction of the court that the additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing, the court may order the additional evidence to be taken before the presiding officer and to be made part of the transcript.

(g) The presiding officer may modify his findings as to the facts, or make new findings, by reason of additional evidence so taken, and shall file such modified or new findings and his recommendations, if any, for the modification or setting aside of the original order.

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(h) The findings of the presiding officer as to the facts, if supported by substantial and competent evidence, shall be conclusive.]

[(i)] (f) The jurisdiction of the court shall be exclusive and, except for a remand ordered pursuant to subsection (d) of this section, its judgment and decree shall be final. [, except that the same shall be subject to review by the Appellate Court, on appeal by either party, irrespective of the nature of the decree or judgment. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Appellate Court, and the record so certified shall contain all that was before the lower court] A final decree may be appealed to the Appellate Court in accordance with subsection (e) of section 51-197b.

[(j)] (g) Petitions filed under this section shall be heard expeditiously. [and determined upon the transcript filed, without requirement of printing.]

Sec. 13. Section 46a-98a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

Any person claiming to be aggrieved by a violation of section 46a-64c or 46a-81e or by a breach of a conciliation agreement entered into pursuant to this chapter, may bring an action in the Superior Court, or the housing session of said court if appropriate within one year of the date of the alleged discriminatory practice or of a breach of a conciliation agreement entered into pursuant to this chapter. No action pursuant to this section may be brought in the Superior Court regarding the alleged discriminatory practice after the commission has obtained a conciliation agreement pursuant to section 46a-83, as amended by this act, or commenced a hearing pursuant to section 46a-84, as amended by this act, except for an action to enforce the conciliation agreement. The court shall have the power to grant relief, by injunction or otherwise, as it deems just and suitable. In addition to

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the penalties provided for under subsection (g) of section 46a-64c or subsection (f) of section 46a-81e, the court may grant any relief which a presiding officer may grant in a proceeding under section 46a-86, as amended by this act, or which the court may grant in a proceeding under section 46a-89. The commission, through [its] commission legal counsel or the Attorney General, may intervene as a matter of right in any action brought pursuant to this section without permission of the court or the parties.

Sec. 14. Subsection (b) of section 46a-101 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(b) The complainant and the respondent, by themselves or their attorneys, may jointly request that the complainant receive a release from the commission at any time from the date of filing the complaint. [until the expiration of two hundred ten days from the date of filing of the complaint.] The complainant [,] or [his] the complainant's attorney [,] may request a release from the commission if [his] the complaint [with the commission] is still pending after the expiration of [two hundred ten] one hundred eighty days from the date of its filing or after a merit assessment review in accordance with subsection (b) of section 46a-83, as amended by this act, whichever is earlier. The executive director or the executive director's designee shall conduct an expedited merit assessment review in accordance with subsection (b) of section 46a-83, as amended by this act, if the commission receives a request for a release of jurisdiction from the complainant or the complainant's attorney prior to one hundred eighty days from the date a complaint is filed.

Sec. 15. Section 46a-104 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

The court may grant a complainant in an action brought in

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accordance with section 46a-100 such legal and equitable relief which it deems appropriate including, but not limited to, temporary or permanent injunctive relief, attorney's fees and court costs. The amount of attorney's fees allowed shall not be contingent upon the amount of damages requested by or awarded to the complainant.

Approved July 13, 2011