



Senate

General Assembly

File No. 161

January Session, 2011

Senate Bill No. 862

Senate, March 23, 2011

The Committee on Planning and Development reported through SEN. CASSANO of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING LIABILITY OF ZONING ENFORCEMENT OFFICERS.

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

1 Section 1. Subsection (c) of section 8-12a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

4 (c) Any zoning enforcement officer who issues a citation pursuant to
5 an ordinance adopted under this section shall be liable for [treble]
6 damages in any civil action if the court finds that such citation was
7 issued frivolously or without probable cause.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2011</i>	8-12a(c)
-----------	------------------------	----------

PD Joint Favorable

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:*** None***Municipal Impact:*** None***Explanation***

The bill concerns civil actions between individuals and results in no fiscal impact to the state or municipalities.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis

SB 862

AN ACT CONCERNING LIABILITY OF ZONING ENFORCEMENT OFFICERS.

SUMMARY:

This bill reduces, from triple to actual damages, the amount a zoning enforcement official must pay as a result of a civil action in which a court finds that the official levied a fine frivolously or without probable cause against a property owner.

EFFECTIVE DATE: October 1, 2011

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 20 Nay 0 (03/07/2011)