



House of Representatives

General Assembly

File No. 739

January Session, 2013

House Bill No. 6693

House of Representatives, May 6, 2013

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING COSTS INCURRED BY STATE RESIDENTS
WHEN RESPONDING TO OUT-OF-STATE DISCOVERY REQUESTS.***

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

1 Section 1. Subsection (f) of section 52-148e of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (f) Deposition of witnesses living in this state may be taken in like
5 manner to be used as evidence in a civil action or probate proceeding
6 pending in any court of the United States or of any other state of the
7 United States or of any foreign country, on application to the court in
8 which such civil action or probate proceeding is pending of any party
9 to such civil action or probate proceeding. The Superior Court shall
10 have jurisdiction to quash or modify, or to enforce compliance with, a
11 subpoena issued for the taking of a deposition pursuant to this
12 subsection. A party requesting a subpoena under this subsection shall
13 reimburse any witness, who is not a party to the civil action or probate
14 proceeding in which the evidence is to be used, for all reasonable costs

15 incurred by the witness in complying with the subpoena, including,
16 but not limited to, the costs of appearing for a deposition, the costs of
17 producing books, papers, documents or tangible things, electronic
18 discovery costs, and attorney's fees.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	52-148e(f)

JUD *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 affects out-of-state civil actions and does not result in a fiscal impact.

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

OLR Bill Analysis**HB 6693*****AN ACT CONCERNING COSTS INCURRED BY STATE RESIDENTS WHEN RESPONDING TO OUT-OF-STATE DISCOVERY REQUESTS.*****SUMMARY:**

This bill requires a party to an out-of-state probate proceeding or civil action to reimburse the reasonable costs of any non-party Connecticut-based witness from whom he or she subpoenas deposition testimony. This includes the cost of appearing at the deposition, producing documents and tangible objects, electronic discovery, and attorneys' fees. The bill does not stipulate a reimbursement mechanism.

EFFECTIVE DATE: October 1, 2013

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 41 Nay 0 (04/19/2013)