



# House of Representatives

General Assembly

**File No. 747**

*January Session, 2013*

Substitute House Joint Resolution No. 46

*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 substitute joint resolution ought to be adopted.

***RESOLUTION VACATING THE DECISION OF THE CLAIMS COMMISSIONER TO DISMISS THE CLAIM AGAINST THE STATE OF LORI CALVERT AND AUTHORIZING THE CLAIMANT TO SUE THE STATE.***

Resolved by this Assembly:

1 That the decision of the Claims Commissioner, file number 22830 of  
2 said commissioner, ordering the dismissal of the claim against the state  
3 in excess of seven thousand five hundred dollars of Lori Calvert, is  
4 vacated and the claimant is authorized to institute and prosecute to  
5 final judgment an action against the state to recover damages as  
6 compensation for injury to person or damage to property, or both,  
7 allegedly suffered by the claimant as set forth in said claim. Such  
8 action shall be brought not later than one year from the date of the  
9 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.

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 14 \$</b>	<b>FY 15 \$</b>
Comptroller - Adjudicated Claims Account	GF - Cost	See Below	See Below

**Municipal Impact:** None

**Explanation**

The resolution allows the claimant, Lori Calvert, to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$15,000 or more as set forth in said claims. Payout on the claim, were it to occur, would be made from the Comptroller's Adjudicated Claims account. The total cost to the state cannot be determined as the outcome of this future lawsuit is unknown.<sup>1</sup>

**The Out Years**

Due to the timing of the 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.

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

**OLR Bill Analysis**

**sHJ 46**

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**SUMMARY:**

The Office of Legislative Research does not analyze Resolutions.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 33      Nay 1      (04/19/2013)