



General Assembly

Substitute Bill No. 6692

January Session, 2013



AN ACT CONCERNING THE COURT'S AUTHORITY TO DENY AN APPLICATION FOR THE WAIVER OF COURT FEES.

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

1 Section 1. Subsection (c) of section 52-259b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (c) Nothing in this section shall preclude the court from (1) finding
5 that a person whose income does not meet the criteria of subsection (b)
6 of this section is indigent and unable to pay a fee or fees or the cost of
7 service of process, or (2) denying an application for the waiver of the
8 payment of a fee or fees or the cost of service of process when the court
9 finds that (A) the applicant has repeatedly filed actions with respect to
10 the same or similar matters and such filings establish an extended
11 pattern of filings that have been so without merit as to be deemed
12 frivolous and an abuse of judicial process, (B) the application before
13 the court is consistent with the applicant's previous pattern of
14 frivolous filings, (C) the application is sought in connection with an
15 action that, on its face, fails to state a cognizable claim for which relief
16 may be granted and would likely be dismissed by the court as
17 frivolous, and (D) the granting of such application would constitute an
18 egregious misuse of Judicial Branch resources. If an application for the
19 waiver of the payment of a fee or fees or the cost of service of process

20 is denied, the court clerk shall, upon the request of the applicant,
21 schedule a hearing on the application.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2013</i>	52-259b(c)
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JUD *Joint Favorable Subst.*