



General Assembly

January Session, 2013

**Raised Bill No. 6693**

LCO No. 5191



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***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2 repealed and the following is substituted in lieu thereof (*Effective*  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	<i>October 1, 2013</i>	52-148e(f)

**Statement of Purpose:**

To allow state residents the opportunity to recover costs incurred in responding to out-of-state discovery requests.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*