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Raised Bill 1089
Public Hearing: 2-25-14

TO: MEMBERS OF THE INSURANCE AND REAL ESTATE COMMITTEE
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)
DATE: FEBRUARY 25, 2014

RE: **OPPOSITION TO SUBSECTION (f) OF RB1089, AAC THE INSURANCE
DEPARTMENT'S MARKET CONDUCT EXAMINATION AUTHORITY**

The CTLA has reviewed this piece of legislation and opposes the immunity found in subsection (f) of the bill at lines 80-94.

CTLA feels that the immunity found in subsection (f)(1) and (3) is unnecessary as the state and its political subdivision already enjoy immunity under the common law principal of sovereign immunity. This kind of additional and directed immunity is unwarranted, subsection (3) states that it is not attempting to modify or abrogate any other common law or statutory immunities, but that is exactly what subsection (1) does. It is circular in its logic, unneeded and against public policy.

The immunity found in Subsection(f)(2) takes away an injured parties right to seek redress through the courts as against any person who may supply information to the department for any reason. This subsection is also unnecessary and circular in its logic as any actor who performs in "good faith without fraudulent intent or the intent to deceive" would not be in danger of a civil suit in any event.

The immunity provisions found in this proposed legislation should be stricken as against the public policy of this state to allow any grieved party to seek redress through the courts. This provision would close the court house doors to any party injured through the negligent actions of others.

WE URGE YOU DELETE SUBSECTION (F) OF THE BILL. Thank you.