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Before the Judiciary Committee
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The Connecticut Council of Small Towns (COST) has concerns regarding **SB-1032, AN ACT CONCERNING THE APPLICABILITY OF THE STATUTE OF LIMITATIONS TO CONSTRUCTION AND DESIGN ACTIONS BROUGHT BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE.**

SB-1032 would abrogate the common law doctrine of *nullum tempus*, which recognizes that the interests of citizens and property taxpayers should not be harmed because lawsuits are not filed within a certain timeframe. This common law doctrine reflects that there are differences between the obligation of the state and municipalities to protect *public* interests and the right of private parties to protect their own *individual* interests.

Municipalities generally exercise a great deal of caution in determining whether to proceed with a lawsuit. However, municipalities have an obligation to their communities and property taxpayers to vigorously pursue claims where shoddy construction or design flaws have resulted in damages, regardless of the amount of time that has passed.

Although we recognize that there is a need to balance the right to pursue remedies with the need to protect defendants from stale claims, we would like additional opportunity to determine whether the statute of limitations proposed under SB-1032 is adequate given the obligation of towns to pursue claims and seek remedies on behalf of the public good.

Thank you for your consideration.