



General Assembly

January Session, 2015

Raised Bill No. 7040

LCO No. 5575



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE CLAIM AGAINST THE STATE OF LORI CALVERT.

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

1 Section 1. (*Effective from passage*) (a) Notwithstanding the failure to
2 file a proper notice of a claim against the state with the clerk of the
3 Office of the Claims Commissioner, within the time limitations
4 specified by subsection (a) of section 4-148 of the general statutes, Lori
5 Calvert is authorized pursuant to the provisions of subsection (b) of
6 section 4-148 of the general statutes to present her claim against the
7 state to the Claims Commissioner. The General Assembly finds that
8 there is a public purpose served by encouraging accountable state
9 government through the full adjudication of cases involving persons
10 who claim to have been injured by the conduct of state actors. The
11 General Assembly further finds it just and equitable that the time
12 limitations provided for in subsection (a) of section 4-148 of the general
13 statutes be tolled in a case such as this, involving a claimant who
14 commenced a civil action in the superior court for the judicial district
15 of Hartford in December 2010, thereby providing notice to the state of
16 her claim within the statute of limitations for injuries to her person that

17 are alleged to have occurred in January 2010. The General Assembly
18 deems such authorization to be just and equitable and finds that such
19 authorization is supported by compelling equitable circumstances and
20 would serve a public purpose. Such claim shall be presented to the
21 Claims Commissioner not later than one year after the effective date of
22 this section.

23 (b) The state shall be barred from setting up the failure to comply
24 with the provisions of sections 4-147 and 4-148 of the general statutes,
25 from denying that notice of the claim was properly and timely given
26 pursuant to sections 4-147 and 4-148 of the general statutes and from
27 setting up the fact that the claim had once been considered by the
28 Claims Commissioner, by the General Assembly or in a judicial
29 proceeding as defenses to such claim.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Purpose:

To permit Lori Calvert to present her claim against the state to the Claims Commissioner for a hearing on the merits of such claim.

[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.]