



General Assembly

Amendment

January Session, 2015

LCO No. 7398



Offered by:

SEN. COLEMAN, 2nd Dist.

REP. TONG, 147th Dist.

To: Subst. Senate Bill No. 1033

File No. 738

Cal. No. 429

"AN ACT CONCERNING COURT OPERATIONS."

1 In line 124, after "document", insert "provided such judicial marshal
2 or Support Enforcement Services of the Superior Court is in possession
3 of the original document,"

4 In line 278, after "format", insert "includes an electronic format and"

5 In line 279, after "distribution of" insert "all official legal
6 publications, all archived official legal protections and"

7 Strike lines 411 to 420, inclusive, in their entirety and substitute the
8 following in lieu thereof:

9 "(c) No person who is listed as a respondent in a restraining order
10 issued pursuant to section 46b-15 or a foreign order of protection
11 issued pursuant to section 46b-15a and against whom there is an order
12 of no contact with the protected party or parties may be criminally
13 liable for a violation of such order if such person causes a document

14 filed in a family relations matter, as defined in section 46b-1, to be
15 served on the protected party or parties in accordance with the law by
16 mail or through a third party who is authorized by statute to serve
17 process."

18 Strike section 10 in its entirety and renumber the remaining sections
19 accordingly

20 After the last section, add the following and renumber sections and
21 internal references accordingly:

22 "Sec. 501. (*Effective from passage*) (a) Notwithstanding the failure to
23 file a proper notice of a claim against the state with the clerk of the
24 Office of the Claims Commissioner, within the time limitations
25 specified by subsection (a) of section 4-148 of the general statutes, Lori
26 Calvert is authorized pursuant to the provisions of subsection (b) of
27 section 4-148 of the general statutes to present her claim against the
28 state to the Claims Commissioner. The General Assembly finds that
29 there is a public purpose served by encouraging accountable state
30 government through the full adjudication of cases involving persons
31 who claim to have been injured by the conduct of state actors. The
32 General Assembly further finds it just and equitable that the time
33 limitations provided for in subsection (a) of section 4-148 of the general
34 statutes be tolled in a case such as this, involving a claimant who
35 commenced a civil action in the superior court for the judicial district
36 of Hartford in December 2010, thereby providing notice to the state of
37 her claim within the statute of limitations for injuries to her person that
38 are alleged to have occurred in January 2010. The General Assembly
39 deems such authorization to be just and equitable and finds that such
40 authorization is supported by compelling equitable circumstances and
41 would serve a public purpose. Such claim shall be presented to the
42 Claims Commissioner not later than one year after the effective date of
43 this section.

44 (b) The state shall be barred from setting up the failure to comply
45 with the provisions of sections 4-147 and 4-148 of the general statutes,

46 from denying that notice of the claim was properly and timely given
 47 pursuant to sections 4-147 and 4-148 of the general statutes and from
 48 setting up the fact that the claim had once been considered by the
 49 Claims Commissioner, by the General Assembly or in a judicial
 50 proceeding as defenses to such claim.

51 Sec. 502. (*Effective from passage*) (a) Notwithstanding the failure to
 52 file a claim against the state within the time limitations specified by
 53 subsection (a) of section 4-148 of the general statutes, Kenneth J.
 54 Krayske is authorized pursuant to the provisions of subsection (b) of
 55 section 4-148 of the general statutes to present his claim, file number
 56 22750, against the state to the Claims Commissioner. The General
 57 Assembly deems such authorization to be just and equitable and finds
 58 that such authorization is supported by compelling equitable
 59 circumstances and would serve a public purpose and accordingly, in
 60 accordance with the provisions of subdivision (4) of subsection (b) of
 61 section 4-159 of the general statutes, remands the claim to the Claims
 62 Commissioner for a hearing on the merits of such claim.

63 (b) The state shall be barred from setting up the failure to comply
 64 with the provisions of section 4-148 of the general statutes, from
 65 denying that notice of the claim was properly and timely given
 66 pursuant to section 4-148 of the general statutes and from setting up
 67 the fact that the claim had once been considered by the Claims
 68 Commissioner, by the General Assembly or in a judicial proceeding as
 69 defenses to such claim."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section
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