



General Assembly

Raised Bill No. 5599

February Session, 2016

LCO No. 2570

* _____ HB05599JUD ___ 032216 _____ *

Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE CLAIM AGAINST THE STATE OF
MILLICENT CORBETT.***

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,
5 Millicent Corbett is authorized pursuant to the provisions of
6 subsection (b) of section 4-148 of the general statutes to present her
7 claim against the state to the Claims Commissioner. The General
8 Assembly finds that there is a public purpose served by encouraging
9 accountable state government through the full adjudication of cases
10 involving persons who claim to have been injured by the conduct of
11 state actors. The General Assembly further finds it just and equitable
12 that the time limitations provided for in subsection (a) of section 4-148
13 of the general statutes be tolled in a case such as this, involving a
14 claimant who commenced a civil action in the superior court for the
15 judicial district of Ansonia-Milford in 2012, thereby providing notice to
16 the state of her claim within the statute of limitations for damage to her

17 property that is alleged to have initially occurred in August 2009. The
18 General Assembly deems such authorization to be just and equitable
19 and finds that such authorization is supported by compelling equitable
20 circumstances and would serve a public purpose. Such claim shall be
21 presented to the Claims Commissioner not later than one year after the
22 effective date of 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

JUD *Joint Favorable*