



General Assembly

**Substitute Bill No. 7222**

January Session, 2019



**AN ACT CONCERNING THE DUTIES OF THE OFFICE OF THE ATTORNEY GENERAL.**

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

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) The Attorney General  
2 may investigate the facts and circumstances concerning any alleged  
3 violation of section 53a-181j, 53a-181k or 53a-181l of the general  
4 statutes, and in connection with such investigation, issue subpoenas  
5 and written interrogatories in the same manner and to the same extent  
6 as is provided in section 35-42 of the general statutes.

7 (b) If the Attorney General finds that a person has committed an act  
8 that constitutes a violation of section 53a-181j, 53a-181k or 53a-181l of  
9 the general statutes, the Attorney General may bring a civil action in  
10 the superior court for the judicial district in which such act occurred in  
11 the name of the state against such person. The provisions of this  
12 subsection shall not apply to any state officer or employee who is  
13 entitled to indemnification and defense pursuant to section 5-141d of  
14 the general statutes.

15 (c) In any such action, the Attorney General may obtain, for the  
16 benefit of a person adversely affected by a violation of section 53a-181j,  
17 53a-181k or 53a-181l of the general statutes, any relief to which such  
18 person may be entitled by law, including treble damages; a civil  
19 penalty not to exceed ten thousand dollars per violation; declaratory,  
20 injunctive, or equitable relief that the Attorney General determines is

21 necessary to vindicate the public's interests; and reasonable attorneys'  
22 fees and costs. Any civil penalty that is received pursuant to this  
23 subsection shall be deposited in the General Fund.

24 (d) Nothing in this section shall limit the right of a person adversely  
25 affected by a violation of section 53a-181j, 53a-181k or 53a-181l of the  
26 general statutes to bring an action under section 52-571c of the general  
27 statutes or any other law that may entitle such person to relief.

28 Sec. 2. (NEW) (*Effective October 1, 2019*) (a) The Attorney General  
29 may investigate, intervene in, or bring a civil or administrative action  
30 in the name of the state, seeking injunctive or declaratory relief,  
31 damages, and any other relief that may be available under law,  
32 whenever any person is or has engaged in a practice or pattern of  
33 conduct that:

34 (1) Subjects, or causes to be subjected, other persons to the  
35 deprivation of any rights, privileges, or immunities secured by the  
36 constitutions or laws of this state or the United States; or

37 (2) Interferes, or attempts to interfere, by threats, intimidation or  
38 coercion, with the exercise or enjoyment by other persons of any rights,  
39 privileges, or immunities secured by the constitutions or laws of this  
40 state or the United States.

41 (b) In conducting any investigation under this section, the Attorney  
42 General may issue subpoenas and interrogatories, and otherwise  
43 gather information, in the same manner and to the same extent as is  
44 provided in section 35-42 of the general statutes.

45 (c) If the Attorney General prevails in a civil action brought  
46 pursuant to this section, the court shall order the distribution of any  
47 award of damages to the injured person and may award reasonable  
48 attorney's fees and costs to the Attorney General. In a matter involving  
49 the interference or attempted interference with any right protected by  
50 the constitutions of this state or the United States, the court may also  
51 award civil penalties against each defendant in an amount not

52 exceeding ten thousand dollars for each violation.

53 (d) In lieu of bringing a civil action under this section, the Attorney  
54 General may accept an assurance of the discontinuance of any  
55 allegedly unlawful or unconstitutional practice from any person  
56 engaged in such practice. Thereafter, any evidence of a violation of  
57 such assurance shall constitute prima facie proof of violation of the  
58 applicable law or right in any action commenced by the Attorney  
59 General.

60 (e) Nothing in this section shall limit the right of a person adversely  
61 affected by a violation of chapter 814c of the general statutes to file a  
62 complaint with the Commission on Human Rights and Opportunities.

63 (f) Nothing in this section shall limit the jurisdiction of the  
64 Commission on Human Rights and Opportunities under chapter 814c  
65 of the general statutes.

66 (g) The Attorney General shall post on the Attorney General's  
67 Internet web site information on the proper filing of a complaint with  
68 the Commission on Human Rights and Opportunities. The Attorney  
69 General may, as appropriate, refer cases to the Commission on Human  
70 Rights and Opportunities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	New section
Sec. 2	October 1, 2019	New section

**Statement of Legislative Commissioners:**

In Section 2(d), the phrase "from any person engaged in such practice" was added to the first sentence for clarity.

**JUD**      *Joint Favorable Subst.*