
OLR Bill Analysis

HB 6592

AN ACT CONCERNING THE FILING OF A CIVIL ACTION FOR MALICIOUS PROSECUTION.

SUMMARY

This bill extends the statute of limitations for malicious prosecution actions. By law, these tort actions must be brought within three years from the date of the act or omission complained of (CGS § 52-577).

Regardless of the existing law, the bill instead begins the three-year statute of limitations from the date the criminal proceeding that is the subject of the malicious prosecution action ends. In doing so, the bill provides additional time for an aggrieved criminal defender to bring a civil action against the person who falsely prosecuted him or her.

A person commits “malicious prosecution” when he or she falsely prosecutes another person for any criminal charge, without probable cause and with malicious intent unjustly to vex and trouble the other person. Offenders must be fined up to \$100 or imprisoned up to one year (CGS § 53-39).

EFFECTIVE DATE: July 1, 2021, and applicable to any cause of action arising from a criminal proceeding terminating prior to, on, or after that date.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 36 Nay 0 (03/29/2021)