



House of Representatives

File No. 735

General Assembly

January Session, 2021 **(Reprint of File No. 605)**

Substitute House Joint Resolution No. 211
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 26, 2021

***RESOLUTION AUTHORIZING THE CLAIMANT, THE ESTATE OF
KARON NEALY, TO SUE THE STATE.***

Resolved by this Assembly:

1 Section 1. That the decision of the Claims Commissioner, file number
2 24605 of said commissioner, ordering the dismissal of the claim against
3 the state in excess of twenty thousand dollars of the Estate of Karon
4 Nealy, is vacated. The General Assembly, having considered the claim
5 during the regular session, finds that said commissioner's reason for
6 dismissing the claim is erroneous and the state is responsible for
7 significant delay in the claimant's ability to proceed with the claim due
8 to the Department of Correction's delay in releasing certain documents
9 related to the decedent's injuries, health and cause of death. The General
10 Assembly further finds that it would be just and equitable to grant the
11 claimant permission to sue the state, that there are compelling equitable
12 circumstances to support such grant and that such grant would serve a
13 public purpose based on the merits of the case. Therefore, the General
14 Assembly hereby grants the claimant permission to sue the state in

15 accordance with the provisions of subsection (c) of section 4-159a of the
16 general statutes. The claimant's action shall be brought not later than
17 one year from the date of the final adoption by the General Assembly of
18 this resolution.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Comptroller - Adjudicated Claims Account	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution allows the claimant, Barbara Makara, to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$20,000 or more as set forth in said claim. Payout on the claim, were it to occur, would be made from the Comptroller's Adjudicated Claims account. The total cost to the state cannot be determined as the outcome of this future lawsuit is unknown.

House "A" strikes the original bill and its associated fiscal impact, thus becoming the bill with the above referenced fiscal impact.

The Out Years

Based on the timing of when the claim is potentially awarded and since it would be one-time in nature there would be no out year fiscal impact.

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OLR Bill Analysis

sHJ 211 (as amended by House "A")

**RESOLUTION AUTHORIZING THE CLAIMANT, BARBARA
MAKARA, TO SUE THE STATE.**

SUMMARY

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 38 Nay 0 (04/08/2021)