



House of Representatives

General Assembly

File No. 658

January Session, 2023

Substitute House Joint Resolution No. 94

House of Representatives, April 18, 2023

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute joint resolution ought to be adopted.

RESOLUTION VACATING THE DECISIONS OF THE CLAIMS COMMISSIONER TO DISMISS THE CLAIMS AGAINST THE STATE OF JUSTIN LUND AND SHAWN SAUNDERS AND AUTHORIZING THE CLAIMANTS TO SUE THE STATE.

Resolved by this Assembly:

1 Section 1. That the decision of the Claims Commissioner, file number
2 24862 of said commissioner, ordering the dismissal of the claim against
3 the state in excess of fifty thousand dollars of Justin Lund, is vacated
4 and the claimant is authorized to institute and prosecute to final
5 judgment an action against the state to recover damages as
6 compensation for injury to person or damage to property, or both,
7 allegedly suffered by the claimant as set forth in said claim. After
8 reviewing the decision of the Claims Commissioner, in accordance with
9 the provisions of subsection (c) of section 4-159 of the general statutes,
10 the General Assembly deems authorization to institute and prosecute to
11 final judgment such action against the state to be just and equitable and
12 believes that the claimant, Justin Lund, has presented to the General
13 Assembly issues of law and fact under which the state, were it a private

14 person, could be liable. Such action shall be brought not later than one
15 year from the date of the final adoption by the General Assembly of this
16 resolution.

17 Sec. 2. That the decision of the Claims Commissioner, file number
18 25002 of said commissioner, ordering the dismissal of the claim against
19 the state in excess of fifty thousand dollars of Shawn Saunders, is
20 vacated and the claimant is authorized to institute and prosecute to final
21 judgment an action against the state to recover damages as
22 compensation for injury to person or damage to property, or both,
23 allegedly suffered by the claimant as set forth in said claim. After
24 reviewing the decision of the Claims Commissioner, in accordance with
25 the provisions of subsection (c) of section 4-159 of the general statutes,
26 the General Assembly deems authorization to institute and prosecute to
27 final judgment such action against the state to be just and equitable and
28 believes that the claimant, Shawn Saunders, has presented to the
29 General Assembly issues of law and fact under which the state, were it
30 a private person, could be liable. Such action shall be brought not later
31 than one year from the date of the final adoption by the General
32 Assembly of this resolution.

JUD *Joint Favorable Subst.*

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 24 \$	FY 25 \$
Comptroller - Adjudicated Claims Account	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution results in a potential cost to the state by authorizing prosecution of the claims made against the state by Justin Lund and Shawn Saunders. The associated fiscal impact of the two claims depends on the adjudication of the claims.

The Out Years

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

OLR Bill Analysis

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RESOLUTION VACATING THE DECISIONS OF THE CLAIMS COMMISSIONER TO DISMISS THE CLAIMS AGAINST THE STATE OF JUSTIN LUND AND SHAWN SAUNDERS AND AUTHORIZING THE CLAIMANTS TO SUE THE STATE.

SUMMARY

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 37 Nay 0 (03/31/2023)