

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SJ-174

RESOLUTION CONFIRMING THE DECISION OF THE CLAIMS
COMMISSIONER TO DENY THE CLAIM AGAINST THE STATE OF HAYDEE

Title: SILVA.

Vote Date: 4/1/2024

Vote Action: Joint Favorable Substitute

PH Date: 3/15/2024

File No.:

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

If the Claims Commissioner denies a claim, the claimant has the right to request that the General Assembly review the Commissioner's decision. The Silva claim was submitted to the Judiciary Committee from the Office of the Claims Commissioner with the annual submission of all claims requesting review by the General Assembly.

SUBSTITUTE LANGUAGE:

The substitute language vacates the decision of the Claims Commissioner, which ordered the denial of the claim against the state, and remands it back to the Claims Commissioner for a de novo hearing on the merits to correct the bifurcated process, which involved the claim being heard and decided by multiple individuals. The rehearing will be heard and decided by a new temporary or special deputy at the Office of the Claims Commissioner who has no prior involvement with the file.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

None expressed.

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: Hillary Desideraggio

Date: 4-4-24