



General Assembly

Amendment

February Session, 2024

LCO No. 4075



Offered by:

SEN. MILLER P., 27th Dist.
REP. DOUCETTE, 13th Dist.
SEN. COHEN, 12th Dist.

To: Subst. Senate Bill No. **123**

File No. 153

Cal. No. 118

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING COERCED DEBT."

1 Strike subdivision (3) of section 1 in its entirety and insert the
2 following in lieu thereof:

3 "(3) "Coerced debt" means any debt incurred in the name of a debtor
4 who is a victim of domestic violence, as defined in subsection (b) of
5 section 46b-1 of the general statutes, when such debt was incurred in
6 response to any duress, intimidation, threat of force, force or undue
7 influence used to specifically coerce the debtor into incurring such
8 debt;"

9 Strike subsections (g) and (h) of section 3 in their entirety and insert
10 the following in lieu thereof:

11 "(g) A debtor shall not provide documentation to a claimant in
12 accordance with subdivision (2) of subsection (a) of this section or

13 request that a claimant waive or modify a debt being collected, or a
14 portion of a debt being collected, as described in subsection (d) of this
15 section, if the debt that is the subject of such documentation or request
16 was previously considered and subject to a final judgment in an action
17 for dissolution of marriage prior to the time when the debtor provides
18 such documentation or makes such request.

19 (h) Any statute of limitations that may apply to a claimant's claim
20 relating to a debt that is the subject of documentation submitted to the
21 claimant by a debtor under subdivision (2) of subsection (a) of this
22 section, or a notification submitted to the claimant by a debtor under
23 subdivision (1) or (2) of subsection (d) of this section, shall be tolled for
24 the duration of any time period during which the claimant is
25 temporarily prevented from commencing a legal action relating to such
26 debt pursuant to this section.

27 (i) The provisions of this section shall not apply if a legal action
28 concerning a debt that is the subject of documentation submitted to a
29 claimant by a debtor under subdivision (2) of subsection (a) of this
30 section, or a notification submitted to a claimant by a debtor under
31 subdivision (1) or (2) of subsection (d) of this section, had been
32 commenced prior to the time when the claimant received such
33 documentation or notification."

34 Strike subsection (i) of section 4 in its entirety and insert the following
35 in lieu thereof:

36 "(i) No action, claim or defense shall be brought or asserted by a
37 debtor under subsection (a) of this section to establish that a debt is
38 coerced debt if such debt was previously considered and subject to a
39 final judgment in an action for dissolution of marriage prior to the
40 commencement of any such action brought by the debtor under
41 subsection (a) of this section or the assertion of any such claim or defense
42 by the debtor under subsection (a) of this section.

43 (j) Nothing in this section or sections 1 to 3, inclusive, of this act shall:

44 (1) Require a court to order a claimant to refund any moneys already
45 paid on a debt that is determined to be coerced debt;

46 (2) Diminish the rights of a claimant to recover payment for any
47 coerced debt from any individual who coerced a debtor into incurring
48 such coerced debt; or

49 (3) Reduce or eliminate any other rights or defenses available to a
50 debtor at law or in equity."