



General Assembly

January Session, 2019

Committee Bill No. 5049

LCO No. 5227



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE CLAIMS AGAINST THE STATE OF
DEBORAH CONNERTY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) (a) Notwithstanding the failure to
2 file a proper notice of a claim against the state with the clerk of the
3 Office of the Claims Commissioner, within the time limitations
4 specified by subsection (a) of section 4-148 of the general statutes,
5 Deborah Connerty, as administrator of the estate of William T.
6 Connerty and in her individual capacity, is authorized pursuant to the
7 provisions of subsection (b) of section 4-148 of the general statutes to
8 present her claims against the state to the Claims Commissioner. The
9 General Assembly finds that there is a public purpose served by
10 encouraging accountable state government through the full
11 adjudication of cases involving persons who claim to have been
12 injured due to the conduct of state actors. The General Assembly
13 further finds it just and equitable that the time limitations provided for
14 in subsection (a) of section 4-148 of the general statutes be tolled in a
15 case such as this, involving a claimant who alleges failure on the part
16 of one or more state actors on multiple different occasions to detect the

17 presence of a metastasized cancer in William T. Connerty, the decedent
18 spouse of Deborah Connerty. The General Assembly further finds that
19 such authorization remedies an injustice done to William T. Connerty
20 and Deborah Connerty for which the state itself bears responsibility.
21 The General Assembly deems such authorization to be just and
22 equitable and finds that such authorization is supported by compelling
23 equitable circumstances and would serve a public purpose. Claims
24 authorized pursuant to this section shall be presented to the Claims
25 Commissioner not later than one year after the effective date of this
26 section.

27 (b) The state shall be barred from setting up the failure to comply
28 with the provisions of sections 4-147 and 4-148 of the general statutes,
29 from denying that notice of the claim was properly and timely given
30 pursuant to sections 4-147 and 4-148 of the general statutes and from
31 setting up the fact that the claim had once been considered by the
32 Claims Commissioner, by the General Assembly or in a judicial
33 proceeding as defenses to such claims.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

JUD *Joint Favorable*