



General Assembly

January Session, 2021

Proposed Bill No. 5936

LCO No. 2175



Referred to Committee on JUDICIARY

Introduced by:

REP. DEVLIN, 134th Dist.

REP. TURCO, 27th Dist.

AN ACT CONCERNING DAMAGES INCURRED BY A PROPERTY OWNER DUE TO FALLING TREES OR TREE LIMBS FROM NEIGHBORING PROPERTY THAT IS OWNED BY THE STATE.

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

1 That the general statutes be amended to: (1) Create a statutory
2 assumption of liability by the state in the case of a state-owned tree
3 falling in whole or in part onto private property with such liability being
4 limited to the actual costs of removal by a licensed arborist; (2) create an
5 exception in section 4-142 of the general statutes to the jurisdiction of
6 the Office of the Claims Commissioner for requests from licensed
7 arborists for reimbursement for the actual costs of removing a tree
8 located on state property that has fallen in whole or in part on private
9 property; (3) allow licensed arborists performing such tree removal
10 work to directly submit a claim for reimbursement to the state
11 Department of Transportation; and (4) require the state Department of
12 Transportation to revise its Vegetation Management Guidelines to
13 reflect the updated state policy that the state bears responsibility for the
14 costs associated with the removal of fallen state-owned trees.

Statement of Purpose:

To ensure the state assumes liability for damages caused by state-owned trees that have fallen on private property and to eliminate the out-of-pocket removal costs by owners of private property to remove such state-owned trees.