



General Assembly

Substitute Bill No. 6876

January Session, 2023



**AN ACT CONCERNING THE ADMINISTRATION OF THE OFFICE OF
THE CLAIMS COMMISSIONER.**

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

1 Section 1. Section 4-142 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) There shall be an Office of the Claims Commissioner which shall
4 hear and determine all claims against the state except: (1) Claims for the
5 periodic payment of disability, pension, retirement or other
6 employment benefits; (2) claims upon which suit otherwise is
7 authorized by law including suits to recover similar relief arising from
8 the same set of facts; (3) claims for which an administrative hearing
9 procedure otherwise is established by law; (4) requests by political
10 subdivisions of the state for the payment of grants in lieu of taxes; and
11 (5) claims for the refund of taxes.

12 (b) The Office of the Claims Commissioner shall consist of the Claims
13 Commissioner, the Deputy Claims Commissioner, six temporary
14 deputies and such administrative staff as may be provided by the
15 Department of Administrative Services. The Claims Commissioner, the
16 Deputy Claims Commissioner, or a temporary deputy [or a magistrate]
17 assigned to assist the Claims Commissioner pursuant to section 4-142b,
18 as amended by this act, shall hear and determine all claims against the

19 state, except as otherwise provided in subsection (a) of this section. Such
20 claims shall be heard and determined in accordance with the rules
21 prescribed by the Claims Commissioner pursuant to section 4-157,
22 except as may be provided in section 4-160, as amended by this act.

23 Sec. 2. Section 4-142a of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective October 1, 2023*):

25 (a) (1) The Claims Commissioner shall be appointed by the Governor
26 with the advice and consent of the General Assembly to serve for a term
27 of four years from the first day in July [in] of the year of [his or her] such
28 appointment and until [his or her] a successor has been appointed and
29 has qualified. The Claims Commissioner shall be an attorney-at-law and
30 shall have been admitted to practice before the courts of the state of
31 Connecticut for at least five years prior to [his or her] such appointment.
32 [The Claims Commissioner serving on June 28, 2021, may continue to
33 serve until the expiration of his or her term. On and after June 28, 2021,
34 each] Each nomination for appointment as Claims Commissioner by the
35 Governor shall be referred, without debate, to the joint standing
36 committee of the General Assembly having cognizance of matters
37 relating to the judiciary, which shall report on each appointment not
38 later than thirty days after the date of reference. Each appointment by
39 the General Assembly of the Claims Commissioner shall be by
40 concurrent resolution.

41 (2) The Claims Commissioner shall receive such compensation as is
42 fixed under the provisions of section 4-40. The Claims Commissioner
43 may enter into such contractual agreements, in accordance with
44 established procedures, as may be necessary for the discharge of [his or
45 her] the commissioner's duties. Subject to the provisions of section 4-32,
46 and unless otherwise provided by law, the Claims Commissioner is
47 authorized to receive any money, revenue or services from the federal
48 government, corporations, associations or individuals, including
49 payments from the sale of printed matter or any other materials or
50 services.

51 (b) The Office of the Claims Commissioner shall be within the
52 Department of Administrative Services, provided the office shall have
53 independent decision-making authority.

54 (c) (1) The Governor shall appoint six temporary deputies to serve in
55 the Office of the Claims Commissioner. A temporary deputy shall be an
56 attorney-at-law who has experience practicing law before the courts of
57 the state of Connecticut and has trial experience. A temporary deputy
58 may not be an employee of the office of the Attorney General or have a
59 claim pending before the Claims Commissioner, either as a claimant or
60 as an attorney appearing on behalf of a claimant. Each temporary
61 deputy shall serve at the pleasure of the Governor, for a term
62 coterminous with the Governor, or until a successor is appointed and
63 qualified, whichever is longer, provided no temporary deputy may be
64 appointed or serve in such position on or after [October 1, 2023] March
65 1, 2026.

66 (2) A temporary deputy shall receive, for each day of service, the
67 same compensation as paid to a judge trial referee under subdivision (1)
68 of subsection (f) of section 52-434 for each day of service by such referee.

69 (3) Each temporary deputy shall have decision-making authority to
70 issue a final decision to grant or deny permission to sue for each claim
71 referred to such deputy under the provisions of subsection (b) or (c) of
72 section 4-160, as amended by this act.

73 (d) The Claims Commissioner shall appoint a Deputy Claims
74 Commissioner who shall be an attorney-at-law qualified by training and
75 experience for the duties of the Office of the Claims Commissioner and
76 shall, in the absence, disability or disqualification of the Claims
77 Commissioner, perform all the functions and have all the powers and
78 duties of said office and such other duties as may be prescribed. The
79 position of Deputy Claims Commissioner shall be exempt from the
80 classified service. The Deputy Claims Commissioner shall serve until a
81 successor is appointed by the Claims Commissioner. The term of the
82 Deputy Claims Commissioner shall not be coterminous with that of the

83 Claims Commissioner, instead the Deputy Claims Commissioner may
84 be replaced upon the appointment of a new Claims Commissioner in
85 accordance with the provisions of subdivision (1) of subsection (a) of
86 this section.

87 Sec. 3. Section 4-142b of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective October 1, 2023*):

89 The Office of the Claims Commissioner shall maintain a permanent
90 office in Hartford County in such suitable space as the Commissioner of
91 Administrative Services provides. All papers required to be filed with
92 the Office of the Claims Commissioner shall be delivered to such office.
93 The Claims Commissioner may [designate one or more magistrates who
94 shall be available to the Office of the Claims Commissioner] assign a
95 temporary deputy to hear a claim and issue a decision concerning the
96 final disposition of a claim against the state, or make recommendations
97 to the Claims Commissioner or Deputy Claims Commissioner
98 concerning the final disposition of a claim as provided for in this
99 chapter. [The Claims Commissioner may appoint any magistrate who is
100 on the list of available magistrates maintained by the Chief Court
101 Administrator. A magistrate appointed by the Claims Commissioner
102 may review, hear and decide a claim, or make a recommendation to the
103 Claims Commissioner concerning the final disposition of a claim. The
104 Claims Commissioner shall establish such rules as he or she deems
105 necessary to provide for the appointment of a magistrate to hear and
106 decide matters pursuant to the provisions of this chapter. Such rules
107 may include limitations on the types of matters that may be heard and
108 decided by a magistrate and may provide for the issuance of a
109 recommendation by a magistrate concerning the final disposition of a
110 claim that is subject to review and approval by the Claims
111 Commissioner.] No decision made by a temporary deputy shall have
112 the force and effect of a ruling of the Claims Commissioner or Deputy
113 Claims Commissioner without written approval by the Claims
114 Commissioner or Deputy Claims Commissioner. The Claims
115 Commissioner shall establish such rules as the commissioner deems

116 necessary to provide for the appointment of a temporary deputy to hear
117 and decide matters pursuant to the provisions of this chapter. Such rules
118 may include limitations on the types of matters that may be heard and
119 decided by a temporary deputy.

120 Sec. 4. Section 4-151 of the general statutes is repealed and the
121 following is substituted in lieu thereof (*Effective October 1, 2023*):

122 (a) Claims shall be heard as soon as practicable after they are filed.
123 The following claims shall be privileged with respect to assignment for
124 hearing: (1) Claims by persons who are sixty-five years or older or who
125 reach such age during the pendency of the claim, (2) claims by persons
126 who are terminally ill, as defined in section 52-191c, and (3) claims by
127 executors or administrators of estates. Hearings may be held at the
128 Office of the Claims Commissioner, at any available hearing facility in
129 the State Capitol or Legislative Office Building, upon request at any
130 courthouse serving a judicial district or geographical area or city or
131 town hall in the state or at such other suitable place as the Claims
132 Commissioner, the Deputy Claims Commissioner or a [magistrate]
133 temporary deputy finds is convenient and just to the claimant and to the
134 Attorney General.

135 (b) The Claims Commissioner, the Deputy Claims Commissioner or
136 a [magistrate] temporary deputy may call witnesses, examine and cross-
137 examine any witness, require information not offered by the claimant or
138 the Attorney General and stipulate matters to be argued. The Claims
139 Commissioner, the Deputy Claims Commissioner or a [magistrate]
140 temporary deputy shall not be bound by any law or rule of evidence,
141 except the rules prescribed by the Claims Commissioner pursuant to
142 section 4-157.

143 (c) The Claims Commissioner, the Deputy Claims Commissioner or a
144 [magistrate] temporary deputy may administer oaths, cause depositions
145 to be taken, issue subpoenas and order inspection and disclosure of
146 books, papers, records and documents. Upon good cause shown, any
147 such order or subpoena may be quashed by the Claims Commissioner,

148 the Deputy Claims Commissioner or a [magistrate] temporary deputy.

149 (d) If any person fails to respond to a subpoena, the Claims
150 Commissioner, the Deputy Claims Commissioner or a [magistrate]
151 temporary deputy may issue a *capias*, directed to a state marshal to
152 arrest such person and bring such person before the Claims
153 Commissioner, the Deputy Claims Commissioner or a [magistrate]
154 temporary deputy to testify.

155 (e) If any person refuses to testify or to produce any relevant,
156 unprivileged book, paper, record or document, the Claims
157 Commissioner, the Deputy Claims Commissioner or a [magistrate]
158 temporary deputy shall certify such fact to the Attorney General, who
159 shall apply to the superior court for the judicial district in which such
160 person resides for an order compelling compliance. Further refusal of
161 such person shall be punished as provided by section 2-46. If such
162 person is the claimant, the Claims Commissioner, the Deputy Claims
163 Commissioner or a temporary deputy shall summarily dismiss the claim
164 and order it forfeited to the state.

165 (f) When subpoenaed by the Claims Commissioner, the Deputy
166 Claims Commissioner or a [magistrate, witnesses] temporary deputy, a
167 witness shall be offered the fees and mileage allowances authorized by
168 section 52-260, provided no such fee or allowance shall be paid to any
169 state officer or employee who appears on behalf of the state.

170 Sec. 5. Section 4-151a of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective October 1, 2023*):

172 [On his or her own motion] Upon the motion of the Claims
173 Commissioner, the Deputy Claims Commissioner, or a temporary
174 deputy, or at the request of the claimant or the representative for the
175 state, which representative may in appropriate cases be the Attorney
176 General, the Claims Commissioner, the Deputy Claims Commissioner
177 or a [magistrate] temporary deputy may waive the hearing of any claim
178 for ten thousand dollars or less and proceed upon affidavits filed by the

179 claimant and the state agency concerned.

180 Sec. 6. Section 4-152 of the general statutes is repealed and the
181 following is substituted in lieu thereof (*Effective October 1, 2023*):

182 If in the course of any proceeding any person is guilty of misbehavior
183 which obstructs such proceeding, [he or she] such person may be
184 excluded from further participation [therein] in such hearing. If the
185 miscreant is the claimant or [his or her] the claimant's attorney, the
186 Claims Commissioner, the Deputy Claims Commissioner or a
187 [magistrate] temporary deputy may summarily terminate the
188 proceeding, and the Claims Commissioner, Deputy Claims
189 Commissioner or temporary deputy may dismiss the claim and order it
190 forfeited to the state.

191 Sec. 7. Subsection (a) of section 4-154 of the general statutes is
192 repealed and the following is substituted in lieu thereof (*Effective October*
193 *1, 2023*):

194 (a) Not later than ninety days after hearing a claim, the Claims
195 Commissioner, the Deputy Claims Commissioner or a temporary
196 deputy shall render a decision as provided in subsection (a) of section
197 4-158, as amended by this act. The Claims Commissioner, the Deputy
198 Claims Commissioner or [the magistrate] a temporary deputy shall
199 make a finding of fact for each claim and file such finding with the order,
200 recommendation or authorization disposing of the claim. The Office of
201 the Claims Commissioner shall deliver a copy of such finding and order,
202 recommendation or authorization to the claimant and to the
203 representative for the state, which representative may in appropriate
204 cases be the Attorney General.

205 Sec. 8. Subsections (a) and (b) of section 4-158 of the general statutes
206 are repealed and the following is substituted in lieu thereof (*Effective*
207 *October 1, 2023*):

208 (a) The Claims Commissioner, the Deputy Claims Commissioner or
209 a temporary deputy may (1) order that a claim be denied or dismissed,

210 (2) order immediate payment of a just claim in an amount not exceeding
211 thirty-five thousand dollars, (3) recommend to the General Assembly
212 payment of a just claim in an amount exceeding thirty-five thousand
213 dollars, or (4) authorize a claimant to sue the state, as provided in section
214 4-160, as amended by this act.

215 (b) Any person who has filed a claim for more than fifty thousand
216 dollars may request the General Assembly to review a decision of the
217 Claims Commissioner, the Deputy Claims Commissioner or a
218 temporary deputy (1) ordering the denial or dismissal of the claim
219 pursuant to subdivision (1) of subsection (a) of this section, including
220 denying or dismissing a claim that requests permission to sue the state,
221 or (2) ordering immediate payment of a just claim in an amount not
222 exceeding thirty-five thousand dollars pursuant to subdivision (2) of
223 subsection (a) of this section. A person who has filed a claim that has
224 been denied or dismissed by a temporary deputy pursuant to subsection
225 (d) of section 4-160, as amended by this act, may request the General
226 Assembly to review such denial or dismissal. A request for review shall
227 be in writing and filed with the Office of the Claims Commissioner not
228 later than twenty days after the date the person requesting such review
229 receives a copy of the decision. The filing of a request for review shall
230 automatically stay the decision of the Claims Commissioner or
231 temporary deputy.

232 Sec. 9. Section 4-159 of the general statutes is repealed and the
233 following is substituted in lieu thereof (*Effective October 1, 2023*):

234 (a) Not later than five days after the convening of each regular session
235 and at such other times as the speaker of the House of Representatives
236 and president pro tempore of the Senate may desire, the Office of the
237 Claims Commissioner shall submit to the General Assembly (1) all
238 claims for which the Claims Commissioner, the Deputy Commissioner
239 or a [magistrate] temporary deputy recommended payment of a just
240 claim in an amount exceeding thirty-five thousand dollars pursuant to
241 subdivision (3) of subsection (a) of section 4-158, as amended by this act,
242 and (2) all claims for which a request for review has been filed pursuant

243 to subsection (b) of section 4-158, as amended by this act, together with
244 a copy of the Claims Commissioner's, [the magistrate's] Deputy
245 Commissioner's or [the] temporary deputy's findings and the hearing
246 record, if any, of each claim so reported.

247 (b) The General Assembly shall:

248 (1) With respect to a decision of the Claims Commissioner, the
249 Deputy Claims Commissioner or a temporary deputy ordering the
250 denial or dismissal of a claim pursuant to subdivision (1) of subsection
251 (a) of section 4-158, as amended by this act; or a decision of a temporary
252 deputy ordering the denial or dismissal of a claim pursuant to
253 subsection (d) of section 4-160, as amended by this act:

254 (A) Confirm the decision; or

255 (B) Vacate the decision and, in lieu thereof, (i) order the payment of
256 the claim in a specified amount, or (ii) authorize the claimant to sue the
257 state;

258 (2) With respect to a decision of the Claims Commissioner ordering
259 the immediate payment of a just claim in an amount not exceeding
260 thirty-five thousand dollars pursuant to subdivision (2) of subsection (a)
261 of section 4-158, as amended by this act:

262 (A) Confirm the decision;

263 (B) Modify the decision by ordering that a different amount be paid;
264 or

265 (C) Vacate the decision and, in lieu thereof, (i) order no payment be
266 made, or (ii) authorize the claimant to sue the state;

267 (3) With respect to a decision of the Claims Commissioner, the
268 Deputy Claims Commissioner or a temporary deputy recommending
269 payment of a just claim in an amount exceeding thirty-five thousand
270 dollars pursuant to subdivision (3) of subsection (a) of section 4-158, as

271 amended by this act:

272 (A) Accept the recommendation and order payment of the specified
273 amount;

274 (B) Modify the recommendation by ordering that a different amount
275 be paid; or

276 (C) Reject the recommendation and, in lieu thereof, (i) order no
277 payment be made, or (ii) authorize the claimant to sue the state; or

278 (4) With respect to a decision of the Claims Commissioner, the
279 Deputy Claims Commissioner or a temporary deputy pursuant to
280 subdivision (1), (2) or (3) of subsection (a) of section 4-158, as amended
281 by this act, or a decision of a temporary deputy pursuant to subsection
282 (d) of section 4-160, as amended by this act, remand the claim to the
283 Office of the Claims Commissioner for such further proceedings as the
284 General Assembly may direct.

285 (c) The General Assembly may grant the claimant permission to sue
286 the state under the provisions of this section when the General
287 Assembly deems it just and equitable and believes the claim to present
288 an issue of law or fact under which the state, were it a private person,
289 could be liable.

290 (d) If the General Assembly orders the payment of a claim, the Office
291 of the Claims Commissioner shall deliver to the Comptroller a notice of
292 the order and the Comptroller shall make payment in the manner
293 prescribed for payment of an order of the Claims Commissioner
294 pursuant to section 4-158, as amended by this act.

295 (e) The review by the General Assembly of claims submitted to it by
296 the Office of the Claims Commissioner under this section shall be
297 conducted in accordance with such procedures as the General Assembly
298 may prescribe.

299 Sec. 10. Section 4-160 of the general statutes is repealed and the

300 following is substituted in lieu thereof (*Effective October 1, 2023*):

301 (a) Whenever the Claims Commissioner deems it just and equitable,
302 the Claims Commissioner, the Deputy Claims Commissioner or a
303 temporary deputy may authorize suit against the state on any claim
304 which, in the opinion of the Claims Commissioner, presents an issue of
305 law or fact under which the state, were it a private person, could be
306 liable. The Claims Commissioner may grant permission to sue for a
307 claim that exclusively seeks permission to sue the state based solely on
308 the notice of claim or any supporting evidence submitted pursuant to
309 section 4-147, or both, without holding a hearing, upon the filing by the
310 attorney or pro se claimant of (1) a motion for approval to assert a claim
311 without a hearing, requesting a ruling based solely on the notice of the
312 claim and any supporting evidence submitted under the provisions of
313 this chapter, and (2) an affidavit attesting to the validity of a claim. Such
314 affidavit shall be signed, notarized and filed by both the attorney and
315 claimant or a pro se claimant, attesting to the following, in the following
316 form: "I have made a reasonable inquiry, as permitted by the
317 circumstances, which has given rise to a good faith belief that grounds
318 exist for a suit against the state. Such inquiry includes (provide a brief
319 description of the inquiry made)". The claimant shall serve any motion
320 for approval and affidavit on the office of the Attorney General and any
321 state agency that is a subject of the claim. The state may file an
322 opposition to the motion for approval and the affidavit not later than
323 thirty days after such service of the motion and affidavit. Such
324 opposition shall be limited to opposition of the claim based solely on
325 jurisdictional grounds, including pursuant to section 4-142, as amended
326 by this act, or subsection (a) of section 4-148, or prosecutorial, judicial,
327 quasi-judicial or legislative immunity.

328 (b) Any claim exclusively requesting permission to sue the state that
329 was filed more than three years prior to [June 28, 2021] July 1, 2023, that
330 has not been disposed of by the Office of the Claims Commissioner, shall
331 be referred to a temporary deputy for proceedings in accordance with
332 subsection (d) of this section, unless the claimant expressly states the

333 desire to have [his or her] such claim remain before the Claims
334 Commissioner.

335 (c) [On and after July 1, 2022, if] If a claim exclusively requesting
336 permission to sue the state remains pending with the Office of the
337 Claims Commissioner eighteen months after the date on which such
338 claim was filed with the office, a claimant may file a notice indicating
339 the passage of such eighteen months with the Attorney General, the
340 Governor and the joint standing committee of the General Assembly
341 having cognizance of matters relating to the judiciary. The Claims
342 Commissioner shall issue a decision on such claim not later than ninety
343 days after the filing of such notice. If the Claims Commissioner does not
344 issue a decision during such ninety-day period, the claim shall be
345 referred to a temporary deputy for proceedings in accordance with
346 subsection (d) of this section, [provided no claim may be referred to a
347 temporary deputy on or after July 1, 2023.] The provisions of this
348 subsection shall not apply to a claim in which the parties have stipulated
349 to an extension of time for the Office of the Claims Commissioner to
350 dispose of the claim.

351 (d) (1) If a claim is referred to a temporary deputy under subsection
352 (b) or (c) of this section, such temporary deputy shall review the notice
353 of claim, the state's notice of opposition and any discovery or other
354 supporting evidence, and may, if the temporary deputy deems it
355 necessary, hold a conference with the parties using telephonic or video
356 conferencing technology. Consideration of the state's opposition to such
357 claims shall be limited to jurisdictional grounds or prosecutorial,
358 judicial, quasi-judicial or legislative immunity. The temporary deputy
359 shall make a determination to deny or dismiss a claim or authorize a
360 claimant to sue the state, not later than ninety days after the claim is
361 referred to such temporary deputy. A temporary deputy shall authorize
362 suit against the state if the claim, in the opinion of the temporary deputy,
363 presents an issue of law or fact under which the state, were it a private
364 person, could be liable. If the resolution of the state's opposition to the
365 claim is based on a dispute of a material fact, the temporary deputy shall

366 grant permission to sue the state and preserve the state's right to pursue
367 such defense in court.

368 (2) A temporary deputy shall make a finding of fact for each claim
369 and file such finding with the order or authorization disposing of the
370 claim with the Claims Commissioner. The temporary deputy shall
371 deliver a copy of such finding and order or authorization to the claimant
372 and to the representative for the state, which representative may in
373 appropriate cases be the Attorney General.

374 (e) A claimant exclusively seeking permission to sue the state shall be
375 deemed to have been granted permission to sue the state by the Claims
376 Commissioner if the Attorney General files with the Office of the Claims
377 Commissioner a signed stipulation authorizing permission to sue the
378 state for a particular claim of the claimant.

379 (f) In any claim alleging malpractice against the state, a state hospital
380 or against a physician, surgeon, dentist, podiatrist, chiropractor or other
381 licensed health care provider employed by the state, the attorney or pro
382 se party filing the claim may submit a certificate of good faith to the
383 Office of the Claims Commissioner in accordance with section 52-190a.
384 If such a certificate is submitted, permission to sue the state shall be
385 deemed granted by the Claims Commissioner (1) on June 28, 2021, if the
386 certificate has been filed with the Claims Commissioner prior to June 28,
387 2021, or (2) upon the filing of the certificate with the Office of the Claims
388 Commissioner, if such certificate is filed on or after June 28, 2021. In lieu
389 of filing a notice of claim pursuant to section 4-147, a claimant may
390 commence a medical malpractice action against the state prior to the
391 expiration of the limitation period set forth in section 4-148 and
392 authorization for such action against the state shall be deemed granted.
393 Any such action shall be limited to medical malpractice claims only and
394 any such action shall be deemed a suit otherwise authorized by law in
395 accordance with subsection (a) of section 4-142, as amended by this act.
396 The provisions of this subsection shall apply to any claim alleging
397 malpractice against the state that was timely filed with the Claims
398 Commissioner and remains pending with said commissioner,

399 regardless of whether such claim was filed before, on or after October 1,
400 2019.

401 (g) After completion of discovery in a suit filed in the Superior Court
402 after receiving permission to sue the state on the basis of an affidavit
403 attesting to the validity of a claim filed in accordance with subsection (a)
404 of this section, if the court determines that such affidavit was not made
405 in good faith, that no justiciable issue was presented against the state
406 and that the state cooperated in good faith with the claimant by
407 providing informal discovery, the court, upon motion or on its own
408 initiative, shall impose upon the attorney and claimant or pro se
409 claimant who signed such affidavit an appropriate sanction, which may
410 include an order to pay to the state the reasonable expenses incurred by
411 the state because of the filing of the suit. The court may also submit the
412 matter to the appropriate authority for disciplinary review of any
413 attorney who submitted the affidavit.

414 (h) In each action authorized by the Claims Commissioner or a
415 temporary deputy, or any action where permission to sue the state has
416 been deemed to have been granted by the Claims Commissioner,
417 pursuant to subsections (a) to (f), inclusive, of this section or by the
418 General Assembly pursuant to section 4-159, as amended by this act, or
419 4-159a, the claimant shall allege such authorization or permission and
420 the date on which it was granted, except that evidence of such
421 authorization or permission shall not be admissible in such action as
422 evidence of the state's liability. Except as provided in subsection (d) of
423 this section, (1) the state waives its immunity from liability and from suit
424 in each such action and waives all defenses which might arise from the
425 eleemosynary or governmental nature of the activity complained of, and
426 (2) the rights and liability of the state in each such action shall be
427 coextensive with and shall equal the rights and liability of private
428 persons in like circumstances.

429 (i) No such action shall be brought but within one year from the date
430 such authorization becomes effective or permission to sue is granted,
431 whichever date is later. With respect to any claim presented to the Office

432 of the Claims Commissioner for which authorization or permission to
433 sue is granted, any statute of limitation applicable to such action shall
434 be tolled until the date such authorization or permission to sue is
435 granted. The claimant shall bring such action against the state as party
436 defendant in the judicial district in which the claimant resides or, if the
437 claimant is not a resident of this state, in the judicial district of Hartford
438 or in the judicial district in which the claim arose.

439 (j) Civil process directed against the state shall be served as provided
440 by section 52-64.

441 (k) Issues arising in such actions shall be tried to the court without a
442 jury.

443 (l) The laws and rules of practice governing disclosures in civil
444 actions shall apply against state agencies and state officers and
445 employees possessing books, papers, records, documents or
446 information pertinent to the issues involved in any such action.

447 (m) The Attorney General, with the consent of the court, may
448 compromise or settle any such action. The terms of every such
449 compromise or settlement shall be expressed in a judgment of the court.

450 (n) Costs may be allowed against the state as the court deems just,
451 consistent with the provisions of chapter 901.

452 (o) The clerk of the court in which judgment is entered against the
453 state shall forward a certified copy of such judgment to the Comptroller.
454 The Attorney General shall certify to the Comptroller when the time
455 allowed by law for proceeding subsequent to final judgment has expired
456 and the Attorney General shall designate the state agency involved in
457 the action. Upon receipt of such judgment and certification the
458 Comptroller shall make payment as follows: Amounts directed by law
459 to be paid from a special fund shall be paid from such special fund;
460 amounts awarded upon contractual claims for goods or services
461 furnished or for property leased shall be paid from the appropriation of
462 the agency which received such goods or services or occupied such

463 property; all other amounts shall be paid from such appropriation as the
464 General Assembly may have made for the payment of claims.

465 (p) Not later than five days after the convening of each regular
466 session, the Attorney General shall report to the joint standing
467 committee of the General Assembly having cognizance of matters
468 relating to the judiciary on the status and disposition of all actions
469 authorized pursuant to this section or section 4-159, as amended by this
470 act, or brought against the state under any other provision of law and in
471 which the interests of the state are represented by the Attorney General.
472 The report shall include: (1) The number of such actions pending in state
473 and federal court, categorized by the alleged ground for the action, (2)
474 the number of new actions brought in the preceding year in state and
475 federal court, categorized by the alleged ground for the action, (3) the
476 number of actions disposed of in the preceding year, categorized by the
477 ground for the action that was disposed of and whether the action was
478 disposed of by settlement or litigation to final judgment, and the amount
479 paid for actions within the respective categories, and (4) such other
480 information as may be requested, from time to time, by the joint
481 standing committee of the General Assembly having cognizance of
482 matters relating to the judiciary. The report shall identify each action
483 disposed of by payment of an amount exceeding one hundred thousand
484 dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	4-142
Sec. 2	October 1, 2023	4-142a
Sec. 3	October 1, 2023	4-142b
Sec. 4	October 1, 2023	4-151
Sec. 5	October 1, 2023	4-151a
Sec. 6	October 1, 2023	4-152
Sec. 7	October 1, 2023	4-154(a)
Sec. 8	October 1, 2023	4-158(a) and (b)
Sec. 9	October 1, 2023	4-159
Sec. 10	October 1, 2023	4-160

JUD *Joint Favorable Subst.*

APP *Joint Favorable*