



General Assembly

January Session, 2023

**Proposed Bill No. 209**

LCO No. 1574



Referred to Committee on JUDICIARY

Introduced by:  
SEN. SEMINARA, 8th Dist.

**AN ACT CONCERNING THE APPLICABILITY OF GOVERNMENTAL IMMUNITY IN ACTIONS INVOLVING A LAW ENFORCEMENT OFFICIAL AND THE ABILITY OF A LAW ENFORCEMENT OFFICIAL TO SEARCH A MOTOR VEHICLE WHEN THE OPERATOR OF THE VEHICLE CONSENTS TO SUCH SEARCH.**

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

1 That: (1) Subsection (d) of section 52-571k of the general statutes be  
2 amended to provide that: (A) Governmental immunity shall be a  
3 defense to a claim for damages against a police officer, unless, at the  
4 time of the conduct complained of, the police officer deprived any  
5 person or class of persons of the protections, privileges and immunities  
6 guaranteed under article first of the Constitution of this state; and (B) a  
7 party defendant may make an interlocutory appeal of a trial court's  
8 denial of the application of the defense of governmental immunity; and  
9 (2) section 54-33o of the general statutes be amended to permit a law  
10 enforcement official to request that the operator of a motor vehicle  
11 stopped for a motor vehicle violation consent to a search of such vehicle.

***Statement of Purpose:***

To allow a law enforcement official to assert governmental immunity in more situations, to permit interlocutory appeals of a trial court's denial of the defense of government immunity, and to restore the ability of a motor vehicle operator to consent to a search a motor vehicle upon the request of a law enforcement official.