



House of Representatives

General Assembly

File No. 557

February Session, 2022

Substitute House Joint Resolution No. 42

House of Representatives, April 20, 2022

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute joint resolution ought to be adopted.

RESOLUTION VACATING THE DECISION OF THE CLAIMS COMMISSIONER TO DISMISS THE CLAIM AGAINST THE STATE OF K & W CUSTOM AUTO, LLC, AND AUTHORIZING THE CLAIMANT TO SUE THE STATE.

Resolved by this Assembly:

1 That the decision of the Claims Commissioner, file number 23976 of
2 said commissioner, ordering the dismissal of the claim against the state
3 in excess of twenty thousand dollars of K & W Custom Auto, LLC, is
4 vacated and the claimant is authorized to institute and prosecute to final
5 judgment an action against the state to recover damages as
6 compensation for injury to person or damage to property, or both,
7 allegedly suffered by the claimant as set forth in said claim. Such action
8 shall be brought not later than one year from the date of the final
9 adoption by the General Assembly of this resolution.

JUD Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Comptroller - Adjudicated Claims Account	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution allows the claimant, K & W Custom Auto, LLC, to sue the state to recover damages as compensation for personal injury and/or property damage allegedly suffered totaling \$20,000 or more as set forth in said claim. Payout on the claim, were it to occur, would be made from the Comptroller's Adjudicated Claims account. The total cost to the state cannot be determined as the outcome of this future lawsuit is unknown.

The Out Years

Based on the timing of when the claim is potentially awarded and since it would be one-time in nature there would be no out year fiscal impact.



OLR Bill Analysis

sHJ 42

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SUMMARY

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 0 (04/04/2022)