



General Assembly

February Session, 2016

Raised Bill No. 5526

LCO No. 2466



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE PAYMENT OF A REASONABLE FEE TO AN OFFICER OR PERSON WHO RECORDS A NOTICE OF LIS PENDENS IN THE OFFICE OF A TOWN CLERK.

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

1 Section 1. Subsection (a) of section 52-261 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2016*):

4 (a) Except as provided in subsection (b) of this section and section
5 52-261a, each officer or person who serves process, summons or
6 attachments on behalf of: (1) An official of the state or any of its
7 agencies, boards or commissions, or any municipal official acting in his
8 or her official capacity, shall receive a fee of not more than thirty
9 dollars for each process served and an additional fee of thirty dollars
10 for the second and each subsequent service of such process, except that
11 such officer or person shall receive an additional fee of ten dollars for
12 each subsequent service of such process at the same address or for
13 notification of the office of the Attorney General in dissolution and
14 postjudgment proceedings if a party or child is receiving public

15 assistance; and (2) any person, except a person described in
16 subdivision (1) of this subsection, shall receive a fee of not more than
17 forty dollars for each process served and an additional fee of forty
18 dollars for the second and each subsequent service of such process,
19 except that such officer or person shall receive an additional fee of
20 twenty dollars for each subsequent service of such process at the same
21 address or for notification of the office of the Attorney General in
22 dissolution and postjudgment proceedings if a party or child is
23 receiving public assistance. Each such officer or person shall also
24 receive the fee set by the Department of Administrative Services for
25 state employees for each mile of travel, to be computed from the place
26 where such officer or person received the process to the place of
27 service, and thence in the case of civil process to the place of return. If
28 more than one process is served on one person at one time by any such
29 officer or person, the total cost of travel for the service shall be the
30 same as for the service of one process only. Each officer or person who
31 serves process shall also receive the moneys actually paid for town
32 clerk's fees on the service of process. Any officer or person required to
33 summon jurors by personal service of a warrant to attend court shall
34 receive for the first ten miles of travel while so engaged, such mileage
35 to be computed from the place where such officer or person receives
36 the process to the place of service, twenty-five cents for each mile, and
37 for each additional mile, ten cents. For summoning any juror to attend
38 court otherwise than by personal service of the warrant, such officer or
39 person shall receive only the sum of fifty cents and actual
40 disbursements necessarily expended by such officer or person in
41 making service thereof as directed. Notwithstanding the provisions of
42 this section, for summoning grand jurors, such officer or person shall
43 receive only such officer's or person's actual expenses and such
44 reasonable sum for services as are taxed by the court. The following
45 fees shall be allowed and paid: (A) For taking bail or bail bond, one
46 dollar; (B) for copies of writs and complaints, exclusive of
47 endorsements, one dollar per page, not to exceed a total amount of
48 nine hundred dollars in any particular matter; (C) for endorsements,

49 forty cents per page or fraction thereof; (D) for service of a warrant for
50 the seizure of intoxicating liquors, or for posting and leaving notices
51 after the seizure, or for the destruction or delivery of any such liquors
52 under order of court, twenty dollars; (E) for the removal and custody
53 of such liquors so seized, reasonable expenses, and twenty dollars; (F)
54 for the levy of an execution, when the money is actually collected and
55 paid over, or the debt or a portion of the debt is secured by the officer,
56 fifteen per cent on the amount of the execution, provided the
57 minimum fee for such execution shall be thirty dollars; (G) on the levy
58 of an execution on real property and on application for sale of personal
59 property attached, to each appraiser, for each half day of actual
60 service, reasonable and customary expenses; (H) for causing an
61 execution levied on real property to be recorded, fees for travel, twenty
62 dollars and costs; (I) for services on an application for the sale of
63 personal property attached, or in selling mortgaged property
64 foreclosed under a decree of court, the same fees as for similar services
65 on executions; (J) for committing any person to a community
66 correctional center, in civil actions, twenty-one cents a mile for travel,
67 from the place of the court to the community correctional center, in
68 lieu of all other expenses; [and] (K) for summoning and attending a
69 jury for reassessing damages or benefits on a highway, three dollars a
70 day; and (L) for recording a notice of lis pendens, a reasonable fee. The
71 court shall tax as costs a reasonable amount for the care of property
72 held by any officer under attachment or execution. The officer serving
73 any attachment or execution may claim compensation for time and
74 expenses of any person, in keeping, securing or removing property
75 taken thereon, provided such officer shall make out a bill. The bill shall
76 specify the labor done, and by whom, the time spent, the travel, the
77 money paid, if any, and to whom and for what. The compensation for
78 the services shall be reasonable and customary and the amount of
79 expenses and shall be taxed by the court with the costs.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2016	52-261(a)
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Statement of Purpose:

To permit an officer or a person who serves process to receive a reasonable sum for recording a notice of lis pendens in the office of a town clerk.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]