



General Assembly

**Substitute Bill No. 5526**

February Session, 2016

\* \_\_\_\_\_HB05526JUD\_\_\_\_033016\_\_\_\_\_\*

**AN ACT CONCERNING THE PAYMENT OF A REASONABLE FEE TO AN OFFICER OR PERSON WHO RECORDS A DOCUMENT IN THE OFFICE OF A TOWN CLERK AND SERVICE OF PROCESS OF A WAGE EXECUTION.**

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2 repealed and the following is substituted in lieu thereof (*Effective*  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 any recording for which the recording fee is not  
71 otherwise prescribed by law, a reasonable fee. The court shall tax as  
72 costs a reasonable amount for the care of property held by any officer  
73 under attachment or execution. The officer serving any attachment or  
74 execution may claim compensation for time and expenses of any  
75 person, in keeping, securing or removing property taken thereon,  
76 provided such officer shall make out a bill. The bill shall specify the  
77 labor done, and by whom, the time spent, the travel, the money paid, if  
78 any, and to whom and for what. The compensation for the services  
79 shall be reasonable and customary and the amount of expenses and  
80 shall be taxed by the court with the costs.

81 Sec. 2. Subsection (d) of section 52-361a of the general statutes is  
82 repealed and the following is substituted in lieu thereof (*Effective*  
83 *October 1, 2016*):

84 (d) The levying officer shall levy on all earnings which are due or  
85 become due to the judgment debtor to the extent specified in the wage

86 execution plus the levying officer's fee and costs, until the judgment is  
 87 satisfied, or the execution is modified or set aside, by serving the  
 88 employer with the wage execution, the required notice of rights and  
 89 the claim forms. On receipt thereof, the employer shall forthwith  
 90 deliver a copy thereof to the judgment debtor, or mail such copy  
 91 postage prepaid to the judgment debtor at his last-known address. On  
 92 service of the wage execution on the employer, the wage execution  
 93 shall automatically be stayed for a period of twenty days and shall  
 94 thereafter immediately become a lien and continuing levy on such  
 95 portion of the judgment debtor's earnings as is specified in the wage  
 96 execution, provided if a claim is filed in accordance with subsection (d)  
 97 of section 52-361b within twenty days of such service on the employer,  
 98 the stay shall continue until determination of the claim. Any service of  
 99 process or other notice required under this section may be made in  
 100 accordance with section 52-57 or by certified mail, return receipt  
 101 requested, provided a levying officer may make such service by mail  
 102 [only] to (1) an address within such officer's appointed jurisdiction, or  
 103 (2) in a case involving an employer whose address is not within such  
 104 levying officer's appointed jurisdiction, to the address designated by  
 105 the employer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	52-261(a)
Sec. 2	October 1, 2016	52-361a(d)

**JUD**      *Joint Favorable Subst.*