



General Assembly

Bill No. 7002

September Special Session, 2020

LCO No. 4347



Referred to Committee on No Committee

Introduced by:

REP. ARESIMOWICZ, 30th Dist.

SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.

REP. RITTER M., 1st Dist.

**AN ACT CONCERNING CERTAIN FEES AND EXPENSES OF STATE
MARSHALS WHEN SERVING PROCESS.**

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

1 Section 1. Section 52-261 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

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

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

47 of 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 of
53 such liquors so seized, reasonable expenses, and twenty dollars; (F) for
54 the levy of an execution, when the money is actually collected and paid
55 over, or the debt or a portion of the debt is secured by the officer, fifteen
56 per cent on the amount of the execution, provided the minimum fee for
57 such execution shall be thirty dollars; (G) on the levy of an execution on
58 real property and on application for sale of personal property attached,
59 to each appraiser, for each half day of actual service, reasonable and
60 customary expenses; (H) for causing an execution levied on real
61 property to be recorded, fees for travel, twenty dollars and costs; (I) for
62 services on an application for the sale of personal property attached, or
63 in selling mortgaged property foreclosed under a decree of court, the
64 same fees as for similar services on executions; (J) for committing any
65 person to a community correctional center, in civil actions, twenty-one
66 cents a mile for travel, from the place of the court to the community
67 correctional center, in lieu of all other expenses; (K) for summoning and
68 attending a jury for reassessing damages or benefits on a highway, three
69 dollars a day; [and] (L) for any recording for which the recording fee is
70 not otherwise prescribed by law, a reasonable fee; and (M) for postage
71 or international mailing costs incurred pursuant to a court order, actual
72 expenses. The court shall tax as costs a reasonable amount for the care
73 of property held by any officer under attachment or execution. The
74 officer serving any attachment or execution may claim compensation for
75 time and expenses of any person, in keeping, securing or removing
76 property taken thereon, provided such officer shall make out a bill. The
77 bill shall specify the labor done, and by whom, the time spent, the travel,
78 the money paid, if any, and to whom and for what. The compensation
79 for the services shall be reasonable and customary and the amount of
80 expenses and shall be taxed by the court with the costs.

81 (b) Each officer or person shall receive the following fees: (1) For
82 service of an execution on a summary process judgment, not more than
83 fifty dollars; and (2) for removal under section 47a-42 of a defendant or
84 other occupant bound by a summary process judgment, and the
85 possessions and personal effects of such defendant or other occupant,
86 not more than one hundred dollars per hour.

87 Sec. 2. Subsection (a) of section 52-261a of the general statutes is
88 repealed and the following is substituted in lieu thereof (*Effective from*
89 *passage*):

90 (a) Any process served by any officer or person for the Judicial
91 Department or Division of Criminal Justice shall be served in
92 accordance with the following schedule of fees:

93 (1) Except as provided in subdivision (3) of this subsection, each
94 officer or person who serves process shall receive a fee of not more than
95 thirty dollars for the service of such process on a person and an
96 additional fee of ten dollars for the service of such process on each
97 additional person.

98 (2) Except as provided in subdivision (3) of this subsection, in
99 addition to the fee set forth in subdivision (1) of this subsection, each
100 officer or person who serves process shall receive, for each mile of travel,
101 the same amount per mile as provided for state employees pursuant to
102 section 5-141c, to be computed from the place where such officer or
103 person received the process to the place of service, and thence in the case
104 of civil process to the place of return, provided, if more than one process
105 is served on one person at one time by any such officer or person, the
106 total cost of travel for such service shall be the same as for the service of
107 one process only.

108 (3) Each officer or person who serves process to enforce the obligation
109 of an attorney pursuant to subdivision (2) of subsection (a) of section 51-
110 81d shall receive twenty cents for each mile of travel, to be computed
111 from the place where such officer or person received the process to the

112 place of service, and thence to the place of return.

113 (4) Each officer or person who serves process shall also receive the
114 moneys actually paid for town clerk's fees on the service of process.

115 (5) Each officer or person who serves process shall also receive the
116 moneys actually paid for fees for the disclosure or search of records of
117 the Department of Motor Vehicles in connection with the service of
118 process.

119 ~~[(5)]~~ (6) Any officer or person required to summon jurors by personal
120 service of a warrant to attend court shall receive for the first ten miles of
121 travel while so engaged, such mileage to be computed from the place
122 where such officer or person receives the process to the place of service,
123 twenty-five cents for each mile, and for each additional mile, ten cents.

124 ~~[(6)]~~ (7) For summoning any juror to attend court otherwise than by
125 personal service of the warrant, such officer or person shall receive only
126 the sum of fifty cents and actual disbursements necessarily expended by
127 such officer or person in making service thereof as directed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	52-261
Sec. 2	<i>from passage</i>	52-261a(a)