



General Assembly

February Session, 2022

Raised Bill No. 203

LCO No. 1695



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

**AN ACT CONCERNING CERTAIN FEES PAYABLE TO A STATE
MARSHAL AND EXTENDING PRIVACY PROTECTIONS TO A STATE
MARSHAL RELATING TO THE NONDISCLOSURE OF THE
MARSHAL'S RESIDENTIAL ADDRESS.**

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 Section 52-261 of the general statutes is repealed and the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 October 1, 2022*):

3 (a) Except as provided in subsection (b) of this section and section 52-
4 261a, as amended by this act, each officer or person who serves process,
5 summons or attachments on behalf of: (1) An official of the state or any
6 of its agencies, boards or commissions, or any municipal official acting
7 in his or her official capacity, shall receive a fee of not more than [thirty]
8 fifty dollars for each process served and an additional fee of [thirty] fifty
9 dollars for the second and each subsequent service of such process,
10 except that such officer or person shall receive an additional fee of [ten]
11 twenty dollars for each subsequent service of such process at the same
12 address or for notification of the office of the Attorney General in
13 dissolution and postjudgment proceedings if a party or child is
14 receiving public assistance; and (2) any person, except a person

15 described in subdivision (1) of this subsection, shall receive a fee of not
16 more than [forty] fifty dollars for each process served and an additional
17 fee of [forty] fifty dollars for the second and each subsequent service of
18 such process, except that such officer or person shall receive an
19 additional fee of twenty dollars for each subsequent service of such
20 process at the same address or for notification of the office of the
21 Attorney General in dissolution and postjudgment proceedings if a
22 party or child is receiving public assistance. Each such officer or person
23 shall also receive the fee set by the Department of Administrative
24 Services for state employees for each mile of travel, to be computed from
25 the place where such officer or person received the process to the place
26 of service, and thence in the case of civil process to the place of return.
27 If more than one process is served on one person at one time by any such
28 officer or person, the total cost of travel for the service shall be the same
29 as for the service of one process only. Except, if an officer or person is
30 requested or required to effectuate in-hand personal service, including
31 service pursuant to subsection (h) of section 46b-15, such officer or
32 person may also receive the fee set by the Department of Administrative
33 Services for state employees for each mile of travel of each round trip
34 traveled while attempting to effectuate in-hand personal service, to be
35 computed from the place where the process was received to the place of
36 attempted service and any subsequent return thereto, and thence in the
37 case of civil process to the place of return, provided that the officer or
38 person shall state in the return of service that in-hand personal service
39 was requested or required and that multiple trips were necessary to
40 effectuate in-hand personal service. The officer or person requesting the
41 receipt of such round trip travel shall make out a bill reciting the dates,
42 times and results of each trip the officer or person traveled while
43 attempting to effectuate in-hand personal service. Each officer or person
44 who serves process shall also receive the moneys actually paid for town
45 clerk's fees on the service of process. Each officer or person who serves
46 process shall also receive the moneys actually paid for fees for the
47 disclosure or search of records of the Department of Motor Vehicles in
48 connection with the service of process. Any officer or person required
49 to summon jurors by personal service of a warrant to attend court shall

50 receive for the first ten miles of travel while so engaged, such mileage to
51 be computed from the place where such officer or person receives the
52 process to the place of service, twenty-five cents for each mile, and for
53 each additional mile, ten cents. For summoning any juror to attend court
54 otherwise than by personal service of the warrant, such officer or person
55 shall receive only the sum of fifty cents and actual disbursements
56 necessarily expended by such officer or person in making service
57 thereof as directed. Notwithstanding the provisions of this section, for
58 summoning grand jurors, such officer or person shall receive only such
59 officer's or person's actual expenses and such reasonable sum for
60 services as are taxed by the court. The following fees shall be allowed
61 and paid: (A) For taking bail or bail bond, one dollar; (B) for copies of
62 writs and complaints, exclusive of endorsements, one dollar per page,
63 not to exceed a total amount of nine hundred dollars in any particular
64 matter; (C) for endorsements, [forty] fifty cents per page or fraction
65 thereof; (D) for service of a warrant for the seizure of intoxicating
66 liquors, or for posting and leaving notices after the seizure, or for the
67 destruction or delivery of any such liquors under order of court, twenty
68 dollars; (E) for the removal and custody of such liquors so seized,
69 reasonable expenses, and twenty dollars; (F) for the levy of an execution,
70 when the money is actually collected and paid over, or the debt or a
71 portion of the debt is secured by the officer, fifteen per cent on the
72 amount of the execution, provided the minimum fee for such execution
73 shall be [thirty] fifty dollars; (G) on the levy of an execution on real
74 property and on application for sale of personal property attached, to
75 each appraiser, for each half day of actual service, reasonable and
76 customary expenses; (H) for causing an execution levied on real
77 property to be recorded, fees for travel, twenty dollars and costs; (I) for
78 services on an application for the sale of personal property attached, or
79 in selling mortgaged property foreclosed under a decree of court, the
80 same fees as for similar services on executions; (J) for committing any
81 person to a community correctional center, in civil actions, [twenty-one
82 cents a mile for travel] the fee set by the Department of Administrative
83 Services for state employees for each mile of travel, from the place of the
84 court to the community correctional center, in lieu of all other expenses;

85 (K) for summoning and attending a jury for reassessing damages or
86 benefits on a highway, three dollars a day; (L) for any recording for
87 which the recording fee is not otherwise prescribed by law, [a
88 reasonable fee] fifty dollars, costs and the fee set by the Department of
89 Administrative Services for state employees for each mile of travel; and
90 (M) for postage or international mailing costs incurred pursuant to a
91 court order, actual expenses. The court shall tax as costs a reasonable
92 amount for the care of property held by any officer under attachment or
93 execution. The officer serving any attachment or execution may claim
94 compensation for time and expenses of any person, in keeping, securing
95 or removing property taken thereon, provided such officer shall make
96 out a bill. The bill shall specify the labor done, and by whom, the time
97 spent, the travel, the money paid, if any, and to whom and for what. The
98 compensation for the services shall be reasonable and customary and
99 the amount of expenses and shall be taxed by the court with the costs.

100 (b) Each officer or person shall receive the following fees: (1) For
101 service and scheduling of an execution on a summary process judgment,
102 [not more than fifty dollars] or a foreclosure ejectment, not more than
103 one hundred dollars and the fee set by the Department of
104 Administrative Services for state employees for each mile of travel;
105 [and] (2) for removal under section 47a-42, as amended by this act, of a
106 defendant or other occupant bound by a summary process judgment,
107 and the possessions and personal effects of such defendant or other
108 occupant, not more than one hundred dollars per hour and the fee set
109 by the Department of Administrative Services for state employees for
110 each mile of travel; (3) for removal and taking of an inventory of
111 possessions and personal effects of a defendant or other occupant bound
112 by a summary process judgment under section 47a-42a, not more than
113 one hundred dollars per hour and the fee set by the Department of
114 Administrative Services for state employees for each mile of travel; and
115 (4) for removal under section 49-22 of a defendant or other occupant
116 bound by a foreclosure judgment, and the possessions and personal
117 effects of such defendant or other occupant, not more than one hundred
118 dollars per hour and the fee set by the Department of Administrative

119 Services for state employees for each mile of travel. The officer or person
120 serving any execution of ejectment may claim compensation for time
121 and expenses of any mover, locksmith or any other individual, in
122 keeping, securing or removing property and the transportation
123 incidental to such execution of ejectment, provided such officer or
124 person shall make out a bill. The bill shall specify the labor done, and by
125 whom, the time spent, the travel, the money paid, if any, and to whom
126 and for what.

127 Sec. 2. Section 52-261a of the general statutes is repealed and the
128 following is substituted in lieu thereof (*Effective October 1, 2022*):

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

132 (1) Except as provided in subdivision (3) of this subsection, each
133 officer or person who serves process shall receive a fee of not more than
134 [thirty] fifty dollars for the service of such process on a person and an
135 additional fee of [ten] fifty dollars for the service of such process on each
136 additional person, except that such officer or person shall receive an
137 additional fee of twenty dollars for each subsequent service of such
138 process at the same address.

139 (2) Except as provided in subdivision (3) of this subsection, in
140 addition to the fee set forth in subdivision (1) of this subsection, each
141 officer or person who serves process shall receive, for each mile of travel,
142 the same amount per mile as provided for state employees pursuant to
143 section 5-141c, to be computed from the place where such officer or
144 person received the process to the place of service, and thence in the case
145 of civil process to the place of return, provided, if more than one process
146 is served on one person at one time by any such officer or person, the
147 total cost of travel for such service shall be the same as for the service of
148 one process only, except that in the case in which an officer or person is
149 requested or required to effectuate in-hand personal service, such officer
150 may also receive the fee set by the Department of Administrative

151 Services for state employees for each mile of travel for each round trip
152 traveled while attempting to effectuate in-hand personal service, to be
153 computed from the place where the process was received to the place of
154 attempted service and any subsequent return thereto, and thence in the
155 case of civil process to the place of return, provided that the officer or
156 person shall state in the return of service that in-hand personal service
157 was requested or required and that multiple trips were necessary to
158 effectuate in-hand personal service. The officer or person requesting the
159 receipt of such round trip travel shall make out a bill reciting the dates,
160 times and results of each trip the officer or person traveled while
161 attempting to effectuate in-hand personal service.

162 (3) Each officer or person who serves process to enforce the obligation
163 of an attorney pursuant to subdivision (2) of subsection (a) of section 51-
164 81d shall receive [twenty cents for each mile of travel] the fee set by the
165 Department of Administrative Services for state employees for each
166 mile of travel, to be computed from the place where such officer or
167 person received the process to the place of service, and thence to the
168 place of return. If more than one process is served on one person at one
169 time by any such officer or person, the total cost of travel for the service
170 shall be the same as for the service of one process only.

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

173 (5) Each officer or person who serves process shall also receive the
174 moneys actually paid for fees for the disclosure or search of records of
175 the Department of Motor Vehicles in connection with the service of
176 process.

177 (6) Any officer or person required to summon jurors by personal
178 service of a warrant to attend court shall receive for the first ten miles of
179 travel while so engaged, such mileage to be computed from the place
180 where such officer or person receives the process to the place of service,
181 twenty-five cents for each mile, and for each additional mile, ten cents.

182 (7) For summoning any juror to attend court otherwise than by

183 personal service of the warrant, such officer or person shall receive only
184 the sum of fifty cents and actual disbursements necessarily expended by
185 such officer or person in making service thereof as directed.

186 (b) Notwithstanding the provisions of this section, for summoning
187 grand jurors, such officer or person shall receive only such officer's or
188 person's actual expenses and such reasonable sum for services as are
189 taxed by the court.

190 (c) The following fees shall be allowed and paid: (1) For taking bail or
191 bail bond, one dollar; (2) for copies of writs and complaints, exclusive of
192 endorsements, [~~sixty cents~~] one dollar per page; (3) for endorsements,
193 [~~forty~~] fifty cents per page or fraction thereof; (4) for service of a warrant
194 for the seizure of intoxicating liquors, or for posting and leaving notices
195 after the seizure, or for the destruction or delivery of any such liquors
196 under order of court, one dollar; (5) for the removal and custody of such
197 liquors so seized, reasonable expenses and one dollar; (6) for levying an
198 execution, when the money is actually collected and paid over, or the
199 debt secured by the officer to the acceptance of the creditor, [~~three~~]
200 fifteen per cent on the amount of the execution; (7) on the levy of an
201 execution on real property and on application for sale of personal
202 property attached, to each appraiser, for each half day of actual service,
203 two dollars, to surveyors when necessarily employed, four dollars per
204 day and to each chain bearer necessarily employed, two dollars per day,
205 which sums, with those paid to the town clerk, shall be, by the officer
206 levying the execution, endorsed thereon, together with such officer's
207 own fees; (8) for causing an execution levied on real property to be
208 recorded, fees for travel and fifty [~~cents~~] dollars; (9) for services on an
209 application for the sale of personal property attached, or in selling
210 mortgaged property foreclosed under a decree of court, the same fees as
211 for similar services on executions; (10) for committing any person to a
212 community correctional center, in civil actions, [~~twenty cents a mile for~~
213 ~~travel~~] the fee set by the Department of Administrative Services for state
214 employees for each mile of travel, from the place of the court to the
215 community correctional center, in lieu of all other expenses; [and] (11)
216 for summoning and attending a jury for reassessing damages or benefits

217 on a highway, three dollars a day; and (12) for any recording for which
218 the recording fee is not otherwise prescribed by law, fifty dollars, costs
219 and the fee set by the Department of Administrative Services for state
220 employees for each mile of travel.

221 (d) The court shall tax as costs a reasonable amount for the care of
222 property held by any officer under attachment or execution. The officer
223 serving any attachment or execution may claim compensation for time
224 and expenses of any person, in keeping, securing or removing property
225 taken thereon, provided such officer shall make out a bill. The bill shall
226 specify the labor done and by whom, the time spent, the travel, the
227 money paid, if any, and to whom and for what. The compensation for
228 the services shall be fixed on the basis of two dollars per hour and the
229 amount of expenses and shall be taxed by the court with the costs.

230 (e) The following fees shall be allowed and paid, except to state
231 employees in the classified service: (1) For each arrest in criminal cases,
232 one dollar and fifty cents; (2) for any necessary assistants in making
233 criminal arrests, a reasonable sum, the necessity of such assistance to be
234 proved by the oath of the officer; (3) for travel with a prisoner to court
235 or to a community correctional center, forty cents a mile, provided (A)
236 if more than one prisoner is transported at the same time, the total cost
237 of travel shall be forty cents per mile for each prisoner transported up to
238 a maximum of two dollars per mile, regardless of the number of
239 prisoners transported, and (B) if a prisoner is transported for
240 commitment on more than one mittimus, the total cost of travel shall be
241 the same as for the transportation of one prisoner committed on one
242 mittimus only; (4) for holding a prisoner in custody upon criminal
243 process for each twelve hours or fraction thereof, to be taxed as expenses
244 in the case, one dollar; (5) for holding a prisoner in custody by order of
245 court, one dollar a day; (6) for keepers, for every twelve hours, in lieu of
246 all other expenses, except in special cases to be approved by the court,
247 five dollars; (7) for executing a mittimus of commitment to the
248 Connecticut Correctional Institution, Somers, for each prisoner, one
249 dollar and fifty cents; (8) for transporting any prisoner from a
250 community correctional center to the Connecticut Correctional

251 Institution, Somers, or for transporting any person under commitment
252 from a community correctional center to the John R. Manson Youth
253 Institution, Cheshire, twenty-five cents a mile, to be taxed as expenses,
254 provided, if more than one prisoner or person is transported, the total
255 cost of travel shall be twenty-five cents per mile for each prisoner or
256 person transported up to a maximum of one dollar per mile, regardless
257 of the number of prisoners or persons transported; (9) for taking
258 samples to a state chemist by order of court, two dollars, and for each
259 mile of travel in going and returning, ten cents; and (10) for producing
260 any prisoner, held by criminal process, in court or before a judge under
261 habeas corpus proceedings, twenty-five cents a mile travel and two
262 dollars and fifty cents a day for attendance, to be taxed and allowed by
263 the court or judge.

264 Sec. 3. Subsection (d) of section 52-356a of the general statutes is
265 repealed and the following is substituted in lieu thereof (*Effective October*
266 *1, 2022*):

267 (d) All amounts received from the sale, and all other money received,
268 shall be distributed subject to the supervision of the court according to
269 the following priorities: (1) To all reasonable and necessary costs of sale;
270 (2) to other legal costs of levy including the levying officer's fees of [five]
271 fifteen per cent of the amount realized; (3) to payment of the judgment
272 creditor pursuant to the judgment under which the sale was held or the
273 money received; (4) to payment of any subordinate secured parties or
274 lienors who make a written demand to the levying officer prior to the
275 sale, according to their respective interests, and to any other judgment
276 creditors presenting an execution to the levying officer, in the order of
277 presentation; and (5) to payment to the judgment debtor.

278 Sec. 4. Subsection (c) of section 47a-42 of the general statutes is
279 repealed and the following is substituted in lieu thereof (*Effective October*
280 *1, 2022*):

281 (c) Whenever the possessions and personal effects of a defendant are
282 removed by a state marshal under this section, such possessions and

283 effects shall be delivered by such marshal to the designated place of
284 storage. The plaintiff shall pay the state marshal for such removal in
285 accordance with the provisions of subsection (b) of section 52-261, as
286 amended by this act. Such removal [, delivery and storage] and delivery
287 shall be at the expense of the defendant and may be recovered by the
288 plaintiff. If such possessions and effects are not reclaimed by the
289 defendant and the expense of such storage is not paid to the chief
290 executive officer within fifteen days after such eviction, the chief
291 executive officer shall sell the same at public auction, after using
292 reasonable efforts to locate and notify the defendant of such sale and
293 after posting notice of such sale for one week on the public signpost
294 nearest to the place where the eviction was made, if any, or at some
295 exterior place near the office of the town clerk. The chief executive
296 officer shall deliver to the defendant the net proceeds of such sale, if any,
297 after deducting a reasonable charge for storage of such possessions and
298 effects. If the defendant does not demand the net proceeds within thirty
299 days after such sale, the chief executive officer shall turn over the net
300 proceeds of the sale to the town treasury.

301 Sec. 5. Subsection (e) of section 14-10 of the general statutes is
302 repealed and the following is substituted in lieu thereof (*Effective July 1,*
303 *2022*):

304 (e) In the event (1) a federal court judge, federal court magistrate or
305 judge of the Superior Court, Appellate Court or Supreme Court of the
306 state, (2) a police officer, as defined in section 7-294a, or a member of the
307 Division of State Police within the Department of Emergency Services
308 and Public Protection, (3) an employee of the Department of Correction,
309 (4) an attorney-at-law who represents or has represented the state in a
310 criminal prosecution, (5) a member or employee of the Board of Pardons
311 and Paroles, (6) a judicial branch employee regularly engaged in court-
312 ordered enforcement or investigatory activities, (7) an inspector
313 employed by the Division of Criminal Justice, (8) a federal law
314 enforcement officer who works and resides in this state, (9) a state
315 referee under section 52-434, [or] (10) a lake patrolman appointed
316 pursuant to subsection (a) of section 7-151b engaged in boating law

317 enforcement, or (11) a state marshal, submits a written request and
318 furnishes such individual's business address to the commissioner, such
319 business address only shall be disclosed or available for public
320 inspection to the extent authorized by this section.

321 Sec. 6. Subsection (a) of section 1-217 of the general statutes is
322 repealed and the following is substituted in lieu thereof (*Effective July 1,*
323 *2022*):

324 (a) No public agency may disclose, under the Freedom of Information
325 Act, from its personnel, medical or similar files, the residential address
326 of any of the following persons employed by such public agency:

327 (1) A federal court judge, federal court magistrate, judge of the
328 Superior Court, Appellate Court or Supreme Court of the state, or
329 family support magistrate;

330 (2) A sworn member of a municipal police department, a sworn
331 member of the Division of State Police within the Department of
332 Emergency Services and Public Protection or a sworn law enforcement
333 officer within the Department of Energy and Environmental Protection;

334 (3) An employee of the Department of Correction;

335 (4) An attorney-at-law who represents or has represented the state in
336 a criminal prosecution;

337 (5) An attorney-at-law who is or has been employed by the Division
338 of Public Defender Services or a social worker who is employed by the
339 Division of Public Defender Services;

340 (6) An inspector employed by the Division of Criminal Justice;

341 (7) A firefighter;

342 (8) An employee of the Department of Children and Families;

343 (9) A member or employee of the Board of Pardons and Paroles;

344 (10) An employee of the judicial branch;

345 (11) An employee of the Department of Mental Health and Addiction
346 Services who provides direct care to patients; [or]

347 (12) A member or employee of the Commission on Human Rights
348 and Opportunities; or

349 (13) A state marshal appointed by the State Marshal Commission
350 pursuant to section 6-38b.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	52-261
Sec. 2	<i>October 1, 2022</i>	52-261a
Sec. 3	<i>October 1, 2022</i>	52-356a(d)
Sec. 4	<i>October 1, 2022</i>	47a-42(c)
Sec. 5	<i>July 1, 2022</i>	14-10(e)
Sec. 6	<i>July 1, 2022</i>	1-217(a)

Statement of Purpose:

To: (1) Provide increases in certain fees payable to a state marshal, and (2) extend statutory privacy protections to a state marshal relating to the nondisclosure of the marshal's residential address.

[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.]