

# House of Representatives

File No. 934

General Assembly

January Session, 2025 (Reprint of File No. 770)

Substitute House Bill No. 7139 As Amended by House Amendment Schedule "A"

Approved by the Legislative Commissioner May 16, 2025

# AN ACT CONCERNING THE DUTIES OF STATE MARSHALS AND THE ACTIVITIES UNDERTAKEN BY THE STATE MARSHAL COMMISSION AND THE STATE MARSHALS ADVISORY BOARD.

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

Section 1. Subsection (a) of section 6-30a of the general statutes is
 repealed and the following is substituted in lieu thereof (*Effective October* 1, 2025):

4 (a) [On and after December 1, 2000, each] Each state marshal shall 5 carry personal liability insurance for damages caused by reason of such state marshal's tortious acts in not less than the following amounts: (1) 6 7 For damages caused to any one person or to the property of any one 8 person, [one hundred] two hundred fifty thousand dollars; and (2) for 9 damages caused to more than one person or to the property of more 10 than one person, [three] five hundred thousand dollars. On and after 11 January 1, 2026, when renewing a personal liability insurance policy, 12 such personal liability insurance shall be a policy with a renewal date

13 and a term of coverage commencing on October first of each year and 14 extending through September thirtieth of the following year. For the 15 purpose of this subsection, "tortious act" means negligent acts, errors or 16 omissions for which a state marshal may become legally obligated to 17 any damages for false arrest, erroneous service of civil papers, false imprisonment, malicious prosecution, libel, slander, defamation of 18 19 character, violation of property rights or assault and battery if 20 committed while making or attempting to make an arrest or against a 21 person under arrest, but does not include any such act unless committed 22 in the performance of the official duties of such state marshal.

23 Sec. 2. Section 6-35 of the general statutes is repealed and the 24 following is substituted in lieu thereof (*Effective October 1*, 2025):

25 A state marshal shall pay, [over,] to the person authorized to receive 26 [it] such payment, any money collected by such state marshal on behalf 27 of or on account of such person not later than thirty calendar days from 28 the date of collection of the money. [or upon the collection of one 29 thousand dollars or more on behalf of or on account of such person, 30 whichever first occurs, except that the state] Notwithstanding the 31 provisions of this section, when any money collected by a state marshal 32 on behalf of a person authorized to receive the payment is in the form 33 of a personal check, the state marshal shall expeditiously deposit such 34 check into the marshal's noninterest-bearing trustee account and 35 payment to the person authorized to receive such check shall be not later 36 than forty-five days after the date on which the personal check was 37 <u>collected</u>. In addition, a state marshal and such person may agree to a 38 different time [for paying over] frame for the payment of such money 39 from the time frames prescribed in this section. A state marshal who 40 fails to comply with the requirements of this section or any such 41 agreement, as applicable, shall be liable to such person for the payment 42 of interest on the money at the rate of five per cent per month from the 43 date on which such state marshal received the money.

44 Sec. 3. Section 6-38 of the general statutes is repealed and the 45 following is substituted in lieu thereof (*Effective October 1, 2025*): The number of state marshals to be appointed for Hartford County
shall not exceed [seventy-two] <u>sixty-two</u>; for New Haven County, [sixtytwo] <u>fifty-five</u>; for New London County, [thirty-eight] <u>twenty</u>; for
Fairfield County, fifty-five; for Windham County, [eighteen] <u>seven</u>; for
Litchfield County, [thirty] <u>thirteen</u>; for Middlesex County, [twenty-one]
<u>thirteen</u>; for Tolland County, [twenty-two] <u>ten</u>.

52 Sec. 4. Subsection (a) of section 6-38a of the general statutes is 53 repealed and the following is substituted in lieu thereof (*Effective October* 54 1, 2025):

55 (a) For the purposes of the general statutes, "state marshal" means a 56 qualified deputy sheriff incumbent on June 30, 2000, under section 6-38, 57 as amended by this act, or appointed pursuant to section 6-38b, as 58 amended by this act, who [shall have] has authority and whose duty is 59 to provide legal execution and service of process in the counties in this 60 state pursuant to section 6-38, as amended by this act, as an 61 [independent contractor] official who is exclusively compensated on a 62 fee for service basis, which is determined, subject to any minimum or 63 maximum rate [promulgated] established by the state, by agreement 64 with an attorney, court or public agency requiring execution or service 65 of process.

66 Sec. 5. Section 6-38b of the general statutes is repealed and the 67 following is substituted in lieu thereof (*Effective October 1, 2025*):

68 (a) There is established a State Marshal Commission which shall 69 consist of eight members appointed as follows: (1) The Chief Justice 70 shall appoint one member who shall be a judge of the Superior Court; 71 (2) the speaker of the House of Representatives, the president pro 72 tempore of the Senate, the majority and minority leaders of the House 73 of Representatives and the majority and minority leaders of the Senate 74 shall each appoint one member; and (3) the Governor shall appoint one 75 member who shall serve as chairperson. Of the seven members 76 appointed pursuant to subdivisions (2) and (3) of this subsection, no 77 more than four of such members may be members of any state bar. No 78 member of the commission shall be a state marshal, except that two state 79 marshals appointed by the State Marshals Advisory Board in 80 accordance with section 6-38c, as amended by this act, shall serve as ex-81 officio, nonvoting members of the commission.

(b) The chairperson shall serve for a three-year term and all
appointments of members to replace those whose terms expire shall be
for terms of three years.

(c) If any vacancy occurs on the commission, the appointing authority
having the power to make the initial appointment under the provisions
of this section shall appoint a person for the unexpired term in
accordance with the provisions of this section.

(d) Members shall serve without compensation but shall be
reimbursed for actual expenses incurred while engaged in the duties of
the commission.

92 (e) The commission, in consultation with the State Marshals Advisory 93 Board, shall (1) adopt regulations in accordance with the provisions of 94 chapter 54 to establish professional standards, including training 95 requirements, [and] residency requirements, minimum fees for 96 execution and service of process, and for state marshals over the age of 97 seventy-two, fitness for duty and annual certification requirements, and 98 (2) implement policies and procedures to increase state marshal participation in the serving of capias mittimus orders. Such policies and 99 100 procedures may require that at all times a certain minimum percentage 101 of the overall number of state marshals be actively engaged in the 102 service of capias mittimus orders. The costs of any fitness for duty 103 certification adopted by the commission pursuant to this section shall 104 be at the expense of the state marshal.

(f) The commission shall be responsible for the equitable assignment
 of service of restraining orders to the state marshals in each county and
 ensure that such restraining orders are served expeditiously. Failure of
 any state marshal to accept for service any restraining order assigned by
 the commission or to serve such restraining order expeditiously without
 sHB7139 / File No. 934

good cause shall be sufficient for the convening of a hearing for removalunder subsection (i) of this section.

112 (g) Any vacancy in the position of state marshal in any county as 113 provided in section 6-38, as amended by this act, shall be filled by the 114 commission with an applicant (1) who shall be an elector in the county 115 where such vacancy occurs, and (2) whose permanent place of abode, 116 domicile and residence is in the county where such vacancy occurs. Any 117 applicant for such vacancy shall be subject to the application, 118 examination, bonding and investigation requirements of the 119 commission.

(h) Except as provided in section 6-38f, no person may be a state
marshal and a state employee at the same time. This subsection does not
apply to any person who was both a state employee and a deputy sheriff
or special deputy sheriff on April 27, 2000.

(i) No state marshal may be removed except by order of thecommission for cause after due notice and hearing.

126 (i) The commission, in consultation with the Judicial Department, 127 shall adopt rules as it deems necessary for conduct of its internal affairs, 128 including, but not limited to, rules that provide for: (1) The provision of 129 timely, consistent and reliable access to a state marshal for persons 130 applying for a restraining order or civil protection order under [section 131 46b-15] chapter 815a; (2) the provision of services to persons with 132 limited English proficiency; (3) the provision of services to persons who 133 are deaf or hard of hearing; [and] (4) service of process that is a 134 photographic copy, micrographic copy or other electronic image of an 135 original document that clearly and accurately copies such original 136 document; and (5) timely payment, as described in section 4a-71, from 137 the Judicial Department to state marshals.

(k) The commission shall adopt regulations, in accordance with the
 provisions of chapter 54, for the application, examination, bonding and
 investigation requirements for filling vacancies in the position of state
 marshal.

142 (l) The commission shall issue not less than quarterly administrative 143 bulletins to state marshals relating to topics concerning service of process and legal execution. The subject matter of topics contained in 144 145 such bulletins shall include, but not be limited to: (1) Changes to state 146 law affecting the duties of state marshals; (2) topics that refresh state 147 marshals' knowledge in subject matter areas affecting their duties; (3) 148 topics concerning the safety of state marshals; (4) topics concerning the 149 professionalism of state marshals when interacting with the public; and 150 (5) topics relating to the nature of complaints filed against state marshals 151 with the State Marshal Commission.

[(k)] (m) The commission shall be within the Department of
Administrative Services, provided the commission shall have
independent decision-making authority.

155 Sec. 6. Section 6-38c of the general statutes is repealed and the 156 following is substituted in lieu thereof (*Effective October 1, 2025*):

157 (a) There is established a State Marshals Advisory Board which shall 158 consist of twenty-four state marshals [. Between November 9, 2000, and 159 November 14, 2000, and annually thereafter] to advise and make 160 recommendations to the State Marshal Commission and to consider 161 matters referred to it from the commission. Annually, between 162 November first and November twentieth of each year, the state 163 marshals in each county shall elect from among the state marshals in 164 their county the following number of state marshals to serve on the 165 board: Hartford, New Haven and Fairfield counties, four state marshals; 166 New London and Litchfield counties, three state marshals; and Tolland, 167 Middlesex and Windham counties, two state marshals. State marshals 168 elected to serve on the board shall serve for a term of one year and may 169 be reelected.

[(b) On or after April 27, 2000, the Chief Court Administrator shall
designate a date and time for the state marshals in each county to come
together for the purpose of electing state marshals from each county to
serve on the State Marshals Advisory Board pursuant to subsection (a)

174 of this section. A majority of the filled state marshal positions in each 175 county shall constitute a quorum for that county. The election of state 176 marshals to serve on the board shall be by majority vote. The names of 177 the state marshals elected in each county shall be forwarded to the Chief 178 Court Administrator. The Chief Court Administrator, upon receipt of 179 the election results from all counties, shall designate a date and time for 180 the first meeting of the board to take place as soon as practicable after 181 November 14, 2000.] 182 (b) The State Marshals Advisory Board shall adopt rules as the board 183 deems necessary for the conduct of its elections and internal affairs, which rules shall continue in effect from year to year, as amended from 184 185 time to time. Such rules shall include procedures for selection of a chairperson and other officers, as may be necessary, from the members 186 187 of the board elected pursuant to subsection (a) of this section. 188 (c) Annually, in the month of December, the State Marshals Advisory 189 Board shall hold a meeting and select two state marshals to be appointed 190 as ex-officio members of the State Marshal Commission, in accordance 191 with the provisions of section 6-38b, as amended by this act, for a term 192 of one year. If any vacancy occurs in such appointments, the State 193 Marshals Advisory Board shall appoint a state marshal to fill the 194 remainder of the unexpired term. 195 Sec. 7. Section 6-38d of the general statutes is repealed and the 196 following is substituted in lieu thereof (*Effective October 1, 2025*): 197 No state marshal shall (1) knowingly bill for, or receive fees for, work 198 that such state marshal did not actually perform, (2) allow another 199 person to serve process in the place of such state marshal, or (3) knowingly make a false or illegal return of process. Any violation of this 200 201 section without good cause shall be sufficient for the convening of a 202 commission hearing concerning removal of the state marshal under 203 subsection (i) of section 6-38b, as amended by this act. 204 Sec. 8. Section 6-38e of the general statutes is repealed and the 205 following is substituted in lieu thereof (*Effective October 1, 2025*):

206 207	(a) The State Marshal Commission shall periodically review and audit the records and accounts of the state marshals. [Upon]
208	(b) When conducting audits pursuant to subsection (a) of this section,
209	the commission shall prioritize an audit when the commission finds
<b>2</b> 10	there is probable cause relating to a written complaint against a state
211	marshal concerning the collection of money under an execution or
212	warrant.
213	<u>(c) Not later than thirty days after the date of</u> the death or disability
214	of a state marshal, the commission shall appoint a qualified individual
215	to oversee and audit the records and accounts of such state marshal and
216	render an accounting to the commission.
217	(d) Upon the death or disability of a state merchal, the commission
217	(d) Upon the death or disability of a state marshal, the commission may direct any financial institution, as defined in section 52-367a, with
210 219	access to, or custody of, financial accounts of a state marshal utilized for
219	the collection of moneys under chapters 204 and 906, to turn over such
220 221	financial accounts to a successor state marshal appointed by the
222	commission. A letter signed by the commission chairperson or designee
223	shall constitute an order of the commission pursuant to this subsection.
223	If any person or financial institution refuses to comply with such order,
225	the commission shall certify the facts relating to the noncompliance to
226	the office of the Attorney General, who shall apply to the Superior Court
227	for an order compelling compliance.
	for all order competining compliance.
228	(e) All information obtained by the commission from any audit
229	conducted pursuant to this section shall be confidential and shall not be
230	subject to disclosure under the Freedom of Information Act, as defined
231	in section 1-200.
232	See 0 Section (20 of the general statutes is repealed and the
	Sec. 9. Section 6-39 of the general statutes is repealed and the following is substituted in liou thereof ( <i>Effective October</i> 1, 2025):
233	following is substituted in lieu thereof ( <i>Effective October 1, 2025</i> ):
234	Each state marshal, before entering upon the duties of a state marshal,
235	shall give to the State Marshal Commission a bond in the sum of [ten]
236	one hundred thousand dollars conditioned that such state marshal will
-	sHB7139 / File No. 934 o

faithfully discharge the duties of state marshal and answer all damages which any person sustains by reason of such state marshal's unfaithfulness or neglect. The premium for said bonds shall be paid by the state. No state marshal shall collect tax warrants for the state or any municipality until such state marshal executes a bond in the sum of one hundred thousand dollars.

Sec. 10. Subsection (f) of section 14-10 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective October*1, 2025):

(f) The commissioner may disclose personal information from amotor vehicle record to:

(1) Any federal, state or local government agency in carrying out its
functions or to any individual or entity acting on behalf of any such
agency, or

(2) Any individual, organization or entity that signs and files with the
commissioner, under penalty of false statement as provided in section
53a-157b, a statement on a form approved by the commissioner,
together with such supporting documentation or information as the
commissioner may require, that such information will be used for any
of the following purposes:

257 (A) In connection with matters of motor vehicle or driver safety and 258 theft, motor vehicle emissions, motor vehicle product alterations, recalls 259 or advisories, performance monitoring of motor vehicles and dealers by 260 motor vehicle manufacturers, motor vehicle market research activities 261 including survey research, motor vehicle product and service 262 communications and removal of nonowner records from the original 263 owner records of motor vehicle manufacturers to implement the 264 provisions of the federal Automobile Information Disclosure Act, 15 265 USC 1231 et seq., the Clean Air Act, 42 USC 7401 et seq., and 49 USC 266 Chapters 301, 305 and 321 to 331, inclusive, as amended from time to 267 time, and any provision of the general statutes enacted to attain 268 compliance with said federal provisions;

(B) In the normal course of business by the requesting party, but only
to confirm the accuracy of personal information submitted by the
individual to the requesting party;

(C) In connection with any civil, criminal, administrative or arbitral proceeding in any court or government agency or before any selfregulatory body, including the service of process, an investigation in anticipation of litigation by an attorney-at-law or any individual acting on behalf of an attorney-at-law and the execution or enforcement of judgments and orders, or pursuant to an order of any court provided the requesting party is a party in interest to such proceeding;

279 (D) In connection with matters of motor vehicle or driver safety and 280 theft, motor vehicle emissions, motor vehicle product alterations, recalls 281 or advisories, performance monitoring of motor vehicles and motor 282 vehicle parts and dealers, producing statistical reports and removal of 283 nonowner records from the original owner records of motor vehicle 284 manufacturers, provided the personal information is not published, 285 disclosed or used to contact individuals except as permitted under 286 subparagraph (A) of this subdivision;

(E) By any insurer or insurance support organization or by a selfinsured entity or its agents, employees or contractors, in connection
with the investigation of claims arising under insurance policies,
antifraud activities, rating or underwriting;

(F) In providing any notice required by law to owners or lienholders
named in the certificate of title of towed, abandoned or impounded
motor vehicles;

(G) By an employer or its agent or insurer to obtain or verify
information relating to a holder of a passenger endorsement or
commercial driver's license required under 49 USC Chapter 313, and
sections 14-44 to 14-44m, inclusive;

(H) In connection with any lawful purpose of a labor organization, asdefined in section 31-77, provided (i) such organization has entered into

300 a contract with the commissioner, on such terms and conditions as the 301 commissioner may require, and (ii) the information will be used only for 302 the purposes specified in the contract other than campaign or political 303 purposes;

304 (I) For bulk distribution for surveys, marketing or solicitations 305 provided the commissioner has obtained the express consent of the 306 individual to whom such personal information pertains;

307 (J) For the purpose of preventing fraud by verifying the accuracy of 308 personal information contained in a motor vehicle record, including an 309 individual's photograph or computerized image, as submitted by an 310 individual to a legitimate business or an agent, employee or contractor 311 of a legitimate business, provided the individual has provided express 312 consent in accordance with subdivision (5) of subsection (a) of this 313 section;

314 (K) Inclusion of personal information about persons who have 315 indicated consent to become organ and tissue donors in a donor registry 316 established by a procurement organization, as defined in section 19a-317 289a;

318 (L) By any private detective or private detective licensed in 319 accordance with the provisions of chapter 534, in connection with an 320 investigation involving matters concerning motor vehicles;

321 (M) By a state marshal, for use in the performance of duties under the 322 provisions of section 6-38a, as amended by this act. Such information 323 including, but not limited to, (i) operator photos, and (ii) records 324 produced by providing an operator's license number, number plate or 325 vehicle identification number, may be requested [by facsimile 326 transmission, or by such other means as the commissioner may require, 327 and shall be provided by facsimile transmission] and provided to a state 328 marshal electronically, or by such other means, within a reasonable 329 time. Such records may be transmitted to a state marshal by means of 330 an existing electronic system used by the Department of Motor Vehicles 331 for the transmission of records. The Commissioner of Motor Vehicles sHB7139 / File No. 934

332 <u>may charge a state marshal a reasonable annual fee for access to such</u>
 333 <u>records and the use of such electronic system.</u>

334 Sec. 11. Section 34-243r of the general statutes is repealed and the 335 following is substituted in lieu thereof (*Effective October 1, 2025*):

336 (a) A limited liability company or registered foreign limited liability 337 company may be served with any process, notice or demand required 338 or permitted by law by any proper officer or other person lawfully 339 empowered to make service leaving a true and attested copy with (1)340 such company's registered agent, or in the case of an agent who is a 341 <u>natural person</u>, at his or her usual place of abode in this state, or (2) a 342 manager or member of such company, or at his or her usual place of 343 abode in this state.

344 (b) When the Secretary of the State and the Secretary of the State's 345 successors in office have been appointed a foreign limited liability 346 company's agent for service of process, the foreign limited liability 347 company may be served by any proper officer or other person lawfully 348 empowered to make service leaving two true and attested copies of such 349 process together with the required fee at the office of the Secretary of the 350 State or depositing the same in the United States mail, by registered or 351 certified mail, postage prepaid, addressed to said office. The Secretary 352 of the State shall file one copy of such process and keep a record of the 353 date and hour of such receipt, and, within two business days after such 354 service, forward by registered or certified mail the other copy of such 355 process to the foreign limited liability company at the address of the 356 office designated in the application for registration filed pursuant to 357 subdivision (4) of section 34-275b. Service so made shall be effective as 358 of the date and hour received by the Secretary of the State as shown on 359 the Secretary of the State's records.

(c) If a limited liability company or registered foreign limited liability
company ceases to have a registered agent, or if its registered agent
cannot with reasonable diligence be served by any proper officer or
other person lawfully empowered to make service, the company or

364 foreign company may be served by registered or certified mail, return 365 receipt requested, or by similar commercial delivery service, addressed 366 to the company or foreign company at its principal office or its mailing 367 address. The address of the principal office or its mailing address shall 368 be as shown on the company's or foreign company's most recent annual 369 report filed by the Secretary of the State. Service is effected under this 370 subsection on the earliest of: (1) The date the company or foreign 371 company receives the mail or delivery by the commercial delivery 372 service; (2) the date shown on the return receipt, if signed by the 373 company or foreign company; or (3) five days after its deposit with the 374 United States Postal Service, or with the commercial delivery service, if 375 correctly addressed and with sufficient postage or payment.

(d) If process, notice or demand cannot be served on a limited liability
company or registered foreign limited liability company pursuant to
subsection (a) or (b) of this section, service may be made by any proper
officer or other person lawfully empowered to make service handing a
copy to (1) the manager of such company, or (2) the individual in charge
of any regular place of business or activity of the company or foreign
company if the individual served is not a plaintiff in the action.

(e) Service of process, notice or demand on a registered agent shall bein a written record.

(f) Service of process, notice or demand may be made by other means
under law other than the provisions of sections 34-243 to 34-283d,
inclusive.

388 Sec. 12. (NEW) (Effective October 1, 2025) A writ of summons in a civil 389 action naming a correctional officer or an employee of the Department 390 of Correction, except where it may be served under the provisions of 391 section 52-64 of the general statutes, may be served upon a person 392 designated by the Commissioner of Correction at the correctional 393 facility where the correctional officer or employee is assigned who shall 394 act as the agent of the correctional officer or employee named in the writ. 395 Service upon such agent shall be deemed to be service upon the

correctional officer or employee. The provisions of this section shall not
be construed as the exclusive or required means of serving a correctional
officer or employee of the Department of Correction when service
cannot be made under section 52-64 of the general statutes.

400 Sec. 13. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

(1) "Amended process" means, at the direction of the issuing
authority, changes made by a state marshal to a process to modify,
adjust or correct minor, technical, clerical, typographical or scrivener's
errors or conforming changes made during service of process, including
adjustments made to the name, alias, agent or addresses of the parties,
the court or the return date of the process.

407 (2) "Attorney-at-law" means an attorney admitted to practice law in
408 this state, another state, district, territory or insular possession of the
409 United States, foreign country or admitted to practice law in a United
410 States federal or tribal court. "Attorney-at-law" includes an individual
411 duly authorized by the attorney-at-law to transmit documents to a state
412 marshal in accordance with the provisions of this section.

(3) "Business day" has the same meaning as provided in section 36a-330 of the general statutes.

(4) "Portable document format" means an electronic file format that facilitates document exchange, is designed to be independent of the software, hardware and operating systems used to create the document, and that preserves the fonts, formatting, pagination and graphics of the source document, allowing the document to be viewed as it was intended to appear, regardless of the device or platform.

(5) "Public agency" includes (A) a public agency as defined in section
1-200 of the general statutes, (B) a quasi-public agency as defined in
section 1-120 of the general statutes, and (C) an executive, legislative or
judicial agency, department, board, commission, authority, institution
or instrumentality of another state or of a county, municipality or other
political subdivision of another state.

(6) "Special occasion" means a time when a party authorized to
electronically transmit process to a state marshal determines it to be
necessary, convenient or desirable to utilize the provisions of this
section, subject where applicable to a fee as prescribed by this section,
instead of tendering a state marshal an original process printed on
paper, along with sufficient copies for service of process.

(b) On any special occasion, an attorney-at-law or public agency may
direct process, including, but not limited to, any writ, summons,
complaint, subpoena, attachment, execution, application, order, notice,
motion or petition, to a state marshal in an electronic format, which
clearly and accurately provides an image of the original process,
including the signature of the authority issuing such process, provided:

(1) Such attorney-at-law or public agency obtains the permission ofthe state marshal prior to the electronic transmission of such process forservice.

442 (2) The attorney-at-law or public agency transmits each process to the 443 state marshal in one electronic file per process, in a letter-sized 444 document, in a portable document format, that contains all pages of the 445 document to be served, collated in the proper order for which the 446 attorney-at-law or public agency is directing the state marshal to serve, 447 so that the state marshal may print one electronic file per process, 448 without the need to collate, assemble or print multiple electronic 449 documents in a particular matter before making service.

450 (3) The attorney-at-law or public agency additionally electronically 451 transmits to the state marshal, a letter, electronic mail or written 452 instruction for service for each process to be served that succinctly 453 provides the necessary information required for the state marshal to 454 make legal service. In matters involving service under chapter 815a of 455 the general statutes, or any other process where personal service is 456 requested, information concerning the profile of the person to be served, 457 when known and available, shall be electronically transmitted to the 458 state marshal. Information electronically transmitted to the state 459 marshal shall include, but is not limited to: (A) Any location where the 460 person is known to spend time, (B) the telephone numbers of the person, 461 (C) the employer, work location and working hours of the person, (D) a 462 photo or physical description of the person, (E) the age or date of birth 463 of the person, (F) the vehicles of the person, including make, model and 464 plate numbers, and (G) safety concerns to be aware of when making 465 service on the person. Such information may be provided by utilizing 466 the respondent profile form accessible electronically on the Internet web 467 site of the Judicial Branch.

468 (4) The attorney-at-law or public agency does not electronically469 transmit the same process to more than one state marshal for service.

470 (5) The attorney-at-law or public agency retains the original process 471 which has been electronically transmitted to the state marshal, and 472 when filed with the court, agency, board or tribunal, as the case may be, 473 where the process is to be returned, the attorney-at-law or public agency 474 causes the same document that was electronically transmitted to the 475 state marshal for service, to be filed, without any alteration or 476 amendment, except that in matters where amendments are made to the 477 process by a state marshal at the time of service, the attorney-at-law or 478 public agency shall file the amended process.

(c) For purposes of a state marshal serving a true and attested copy
of any process under any provision of the general statutes, process that
is electronically transmitted to a state marshal for service by an attorneyat-law or public agency under the provisions of this section shall be
deemed to be an original document in the hands of a state marshal for
service.

(d) Except as otherwise provided by law, no state marshal shall be
required to accept process in an electronic format. A state marshal may
voluntarily elect to receive the electronic transmission of process under
the provisions of this section at the request of an attorney-at-law or
public agency, subject to the provisions and fees prescribed in this
section.

491 (e) If a state marshal elects to receive the electronic transmission of
492 process, the state marshal shall maintain and monitor an electronic mail
493 address used for the purposes of this section.

494 (f) An attorney-at-law or public agency shall not transmit process to 495 a state marshal in an electronic format, where the number of pages to be 496 printed in any one matter for all parties to be served exceeds fifty pages 497 in total, or the number of processes for separate matters to be 498 transmitted, within a time period of one week, exceeds five processes, 499 except that a state marshal and an attorney-at-law or public agency may 500 agree to a different number of processes or pages to be accepted by 501 electronic transmission.

502 (g) (1) The provisions of this section shall not apply for the purposes 503 of personal delivery to a state marshal, pursuant to section 52-593a of 504 the general statutes, as amended by this act, before the passage of the 505 time limited by law within which an action may be brought. (2) No 506 process relating to a matter in which a statute of limitations is tolling 507 within sixty days shall be electronically transmitted to a state marshal; 508 such process shall only be delivered to a state marshal for service as 509 original process, printed on paper and personally signed in ink by the 510 issuing authority, along with sufficient copies for the state marshal to 511 effectuate service.

512 (h) Receipt of electronic process under this section shall occur by 513 reply of the state marshal to the attorney-at-law or public agency 514 transmitting such process. A state marshal electing to receive process in 515 an electronic format from an attorney-at-law or public agency under the 516 provisions of this section may, within two business days after receiving 517 such process, reject any such process for service, if (1) the requirements 518 of subdivision (2) or (3) of subsection (b) of this section have not been 519 met, (2) the process is not signed, or is out of order, (3) the process is not 520 received in a clear and legible format, or cannot be accessed 521 electronically, (4) the lawful deadline for service of the process cannot 522 reasonably be met, or (5) the number of pages or processes to be printed 523 exceeds the limitations prescribed in subsection (f) of this section. A

state marshal shall provide notification of the rejection of electronic
process for service to the attorney-at-law or public agency by electronic
mail.

527 (i) (1) A state marshal shall receive for each process, in any one matter 528 that is electronically transmitted for service under this section, a fee of 529 fifty dollars, irrespective of the number of persons to be served, as a fee 530 for the receiving and handling electronic process for service. A state 531 marshal shall also receive a fee of one dollar for each page printed under 532 the provisions of this section. Fees assessed pursuant to this section shall 533 not be a taxable cost of the action. Such fees for electronic receipt and 534 handling and printing of process shall be listed on the state marshal's 535 return of service under a separate total segregated from other fees.

536 (2) A state marshal receiving and printing an electronic process shall 537 charge the fees prescribed by this section and shall not adjust or waive 538 such fees, nor shall such fees be subject to a minimum rate promulgated 539 by the state pursuant to section 6-38a of the general statutes, as amended 540 by this act. Fees under this section shall not apply or be charged in the 541 case of the transmittal and printing of executions issued under chapter 542 832 or 906 of the general statutes, warrants issued under chapter 204 of 543 the general statutes, ejectments under section 49-22 of the general 544 statutes, as amended by this act, service of process under a waiver of 545 fees issued pursuant to section 52-259b of the general statutes, capias 546 mittimus orders issued under any provisions of the general statutes or 547 orders of protection and relief under chapter 815a of the general statutes. 548 Fees under this section shall not be considered a fee for copies of writs 549 and complaints pursuant to chapter 901 of the general statutes and shall 550 be in addition to any fee under said chapter payable to the officer 551 serving process.

(j) A state marshal when printing documents for service, as provided by this section, shall print such documents on letter-sized paper. When making service of electronically transmitted documents printed for service under this section, the state marshal shall not be required to send printed documents or a printed return of service back to the attorneyat-law or public agency which electronically transmitted such process,
but the state marshal shall electronically transmit the marshal's return
of service to such attorney-at-law or public agency. In the event that the
process was amended by a state marshal at the time of service, such
amended process shall also be returned.

562 (k) No state marshal shall, in the performance of receiving 563 electronically transmitted process, be liable for damage, errors or 564 omissions related to the electronic transmission, receipt, printing or 565 filing of electronically transmitted process, including, but not limited to: 566 (1) Missing pages in the transmission, (2) the failure to receive the 567 electronic transmission due to electronic or technical malfunctions, or 568 such other similar errors, or (3) erroneous service of process on account 569 of the failure of an attorney-at-law or public agency to comply with the 570 provisions of this section in the transmission and filing of such process.

571 Sec. 14. Subdivision (1) of subsection (h) of section 46b-15 of the 572 general statutes is repealed and the following is substituted in lieu 573 thereof (*Effective October 1, 2025*):

574 (h) (1) The applicant shall cause notice of the hearing pursuant to 575 subsection (b) of this section and a copy of the application and the 576 applicant's affidavit and of any ex parte order issued pursuant to 577 subsection (b) of this section to be served on the respondent not less than three days before the hearing. A proper officer responsible for executing 578 579 such service shall accept all documents in an electronic format, if 580 presented to such officer in such format. The applicant may transmit 581 such documents in an electronic format and the applicant and 582 documents shall be subject to the same provisions that are applicable to 583 an attorney-at-law or public agency document transmission process as 584 prescribed in subdivisions (2), (3) and (4) of subsection (b), and 585 subsections (c), (h) and (k) of section 13 of this act. The applicant shall 586 also include the respondent profile form accessible electronically on the 587 Internet web site of the Judicial Branch. The cost of such service, 588 including mileage pursuant to section 52-261, as amended by this act, 589 shall be paid for by the Judicial Branch. No fee of any kind may be

590 charged directly to an applicant by an officer serving process. No officer 591 or person shall be entitled to a fee for service pursuant to this section if 592 timely return of service is not received by the court, absent a court order 593 authorizing such fee. For the purposes of this subsection, timely return 594 includes, but is not limited to, transmitting by facsimile or other means, 595 a copy of the return of service to the court prior to the hearing followed 596 by the delivery of the original return to the court within a reasonable 597 time after the hearing.

598 Sec. 15. Section 52-593a of the general statutes is repealed and the 599 following is substituted in lieu thereof (*Effective October 1, 2025*):

600 (a) Except in the case of an appeal from an administrative agency 601 governed by section 4-183, as amended by this act, a cause or right of 602 action shall not be lost because of the passage of the time limited by law 603 within which the action may be brought, if the process to be served is 604 personally delivered to a state marshal, constable or other proper officer 605 within such time and the process is served, as provided by law, within 606 thirty days of the delivery. As used in this subsection, "process to be 607 served" means the original process printed on paper and personally signed in ink by the issuing authority, along with sufficient copies for 608 609 service.

(b) In any such case, the officer making service shall endorse under
oath on such officer's return the date of delivery of the process to such
officer for service in accordance with this section.

Sec. 16. Subsection (c) of section 4-183 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective October*1, 2025):

(c) (1) Within forty-five days after mailing of the final decision under
section 4-180 or, if there is no mailing, within forty-five days after
personal delivery of the final decision under said section, or (2) within
forty-five days after the agency denies a petition for reconsideration of
the final decision pursuant to subdivision (1) of subsection (a) of section
4-181a, or (3) within forty-five days after mailing of the final decision

622 made after reconsideration pursuant to subdivisions (3) and (4) of 623 subsection (a) of section 4-181a or, if there is no mailing, within forty-624 five days after personal delivery of the final decision made after 625 reconsideration pursuant to said subdivisions, or (4) within forty-five 626 days after the expiration of the ninety-day period required under 627 subdivision (3) of subsection (a) of section 4-181a if the agency decides 628 to reconsider the final decision and fails to render a decision made after 629 reconsideration within such period, whichever is applicable and is later, 630 a person appealing as provided in this section shall serve a copy of the 631 appeal on the agency that rendered the final decision at its office or at 632 the office of the Attorney General in Hartford and file the appeal with 633 the clerk of the superior court for the judicial district of New Britain or 634 for the judicial district wherein the person appealing resides or, if that 635 person is not a resident of this state, with the clerk of the court for the 636 judicial district of New Britain. Within that time, the person appealing 637 shall also serve a copy of the appeal on each party listed in the final 638 decision at the address shown in the decision, provided failure to make 639 such service within forty-five days on parties other than the agency that 640 rendered the final decision shall not deprive the court of jurisdiction 641 over the appeal. Service of the appeal shall be made by [United States 642 mail, certified or registered, postage prepaid, return receipt requested, 643 without the use of] a state marshal [or other officer, or by personal 644 service by a proper officer or indifferent person] making service in the 645 same manner as complaints are served in ordinary civil actions. [If 646 service of the appeal is made by mail, service shall be effective upon 647 deposit of the appeal in the mail.]

648 Sec. 17. Subsection (b) of section 52-57 of the general statutes is 649 repealed and the following is substituted in lieu thereof (Effective October 650 1, 2025):

651 (b) Process in civil actions against the following-described classes of 652 defendants shall be served as follows: (1) Against a town, upon its clerk, 653 assistant clerk, <u>deputy clerk</u>, manager or one of its selectmen; (2) against 654 a city, upon its clerk, [or] assistant clerk or deputy clerk or upon its 655 mayor or manager; (3) against a borough, upon its manager, clerk<sub>2</sub> [or] 656 assistant clerk or deputy clerk or upon the warden or one of its burgesses; (4) against a school district, upon its clerk, assistant clerk, 657 658 deputy clerk, superintendent, assistant superintendent or deputy 659 superintendent or one of its committee; (5) against a board, commission, 660 department or agency of a town, city or borough, notwithstanding any provision of law, upon the clerk, assistant clerk, deputy clerk of the 661 662 town, city or borough, provided two copies of such process shall be 663 served upon the clerk and the clerk shall retain one copy and forward 664 the second copy to the board, commission, department or agency; (6) 665 against any other municipal or quasi-municipal corporation, upon its 666 clerk, assistant clerk, deputy clerk or upon its chief presiding officer or managing agent; and (7) against an employee of a town, city or borough 667 668 in a cause of action arising from the employee's duties or employment, 669 upon the clerk, assistant clerk, deputy clerk of the town, city or borough, 670 provided two copies of such process shall be served upon the clerk and the clerk shall retain one copy and forward the second copy to the 671 672 employee.

673 Sec. 18. Subsection (c) of section 47a-23 of the general statutes is
674 repealed and the following is substituted in lieu thereof (*Effective October*675 1, 2025):

676 (c) [A] An attested copy of such notice shall be [delivered] served by 677 a proper officer to (1) each lessee or occupant or left at such lessee's or 678 occupant's place of residence, or [,] (2) if the rental agreement or lease 679 concerns commercial property, (A) left for each lessee or occupant at the 680 place of the commercial establishment, [by a proper officer or indifferent 681 person] or (B) by making service on the parties in the same manner as complaints are served in ordinary civil actions using the rules of civil 682 683 process under any provision of the general statutes. Delivery of such 684 notice may be made on any day of the week.

Sec. 19. Subsection (b) of section 47a-42 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective October*1, 2025):

688 (b) Before any such removal, the state marshal charged with 689 executing upon any such judgment of eviction shall give the chief 690 executive officer of the town [twenty-four hours] notice of the eviction, 691 stating the date, time and location of such eviction as well as a general 692 description, if known, of the types and amount of property to be 693 removed from the premises and delivered to the designated place of 694 storage. [Before] After giving such notice to the chief executive officer of 695 the town, the state marshal shall use reasonable efforts to locate and 696 notify the defendant [of] not less than twenty-four hours before the date 697 and time such eviction is to take place and of the possibility of a sale pursuant to subsection (c) of this section. Such notice shall include 698 699 service upon each defendant and upon any other person in occupancy, 700 either personally or at the premises, of a true copy of the summary 701 process execution. Such execution shall be on a form prescribed by the 702 Judicial Department, shall be in clear and simple language and in 703 readable format, and shall contain, in addition to other notices given to 704 the defendant in the execution, a conspicuous notice, in large boldface 705 type, that (1) a person who claims to have a right to continue to occupy 706 the premises should immediately contact an attorney, [and] (2) provides 707 clear instructions as to how and where the defendant may reclaim any 708 possessions and personal effects removed and stored pursuant to this section, including a telephone number that may be called to arrange 709 710 release of such possessions and personal effects, and (3) any person who 711 remains at the property after the time of the eviction as listed on the 712 execution when a state marshal returns to conduct the eviction removal 713 and fails to vacate when directed to do so may be subject to arrest for 714 criminal trespass in the first degree, in violation of section 53a-107.

Sec. 20. Subsection (b) of section 49-22 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective October*1, 2025):

(b) Before any such removal, the state marshal charged with
executing upon the ejectment shall give the chief executive officer of the
town [twenty-four hours'] notice of the ejectment, stating the date, time
and location of such ejectment as well as a general description, if known,
sHB7139 / File No. 934

722 of the types and amount of property to be removed from the land and 723 delivered to the designated place of storage. At least five business days 724 before [giving such notice to the chief executive officer of the town] the 725 ejectment, the state marshal shall use reasonable efforts to locate and 726 notify the person or persons in possession of the date and time such 727 ejectment is to take place and of the possibility of a sale pursuant to 728 subsection (c) of this section and shall provide on a form prescribed by 729 the Judicial Department, in clear and simple language and in readable 730 format, containing, in addition to other notices on the ejectment order, 731 a conspicuous notice, in large boldface type, that (1) provides clear 732 instructions as to how and where such person or persons may reclaim 733 any possessions and personal effects removed and stored pursuant to 734 this section, including a telephone number that such person or persons 735 may call to arrange release of such possessions and personal effects, and 736 (2) any person bound by the ejectment order who remains at the 737 property after the time of the removal as listed on the ejectment order 738 when a state marshal returns to conduct the ejectment and fails to vacate 739 when directed to do so may be subject to arrest for criminal trespass in 740 the first degree, in violation of section 53a-107.

Sec. 21. Subsection (a) of section 52-261 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective October*1, 2025):

744 (a) Except as provided in subsection (b) of this section and section 52-745 261a, as amended by this act, each officer or person who serves process, 746 summons or attachments on behalf of: (1) An official of the state or any 747 of its agencies, boards or commissions, or any municipal official acting 748 in his or her official capacity, shall receive a fee of not more than fifty 749 dollars for each process served and an additional fee of fifty dollars for 750 the second and each subsequent service of such process, except that such 751 officer or person shall receive an additional fee of twenty dollars for each 752 subsequent service of such process at the same address or for 753 notification of the office of the Attorney General in dissolution and 754 postjudgment proceedings if a party or child is receiving public 755 assistance; and (2) any person, except a person described in subdivision

756 (1) of this subsection, shall receive a fee of not more than fifty dollars for 757 each process served and an additional fee of fifty dollars for the second 758 and each subsequent service of such process, except that such officer or 759 person shall receive an additional fee of twenty dollars for each 760 subsequent service of such process at the same address or for 761 notification of the office of the Attorney General in dissolution and 762 postjudgment proceedings if a party or child is receiving public 763 assistance. Each such officer or person shall also receive the fee set by 764 the Department of Administrative Services for state employees for each 765 mile of travel, subject to adjustment within thirty days of any revision to the federal General Services Administration mileage reimbursement 766 767 rate, to be computed from the place where such officer or person 768 received the process to the place of service, and thence in the case of civil 769 process to the place of return. If more than one process is served on one 770 person at one time by any such officer or person, the total cost of travel 771 for the service shall be the same as for the service of one process only, 772 except, if an officer or person is requested by the court or required by 773 law to effectuate in-hand personal service, or for service pursuant to 774 subsection (h) of section 46b-15, as amended by this act, or subsection 775 (d) of section 46b-16a, such officer or person shall receive the fee set by 776 the Department of Administrative Services for state employees for each 777 mile of travel, subject to adjustment within thirty days of any revision 778 to the federal General Services Administration mileage reimbursement 779 rate, of each round trip traveled while attempting to effectuate in-hand 780 personal service, to be computed from the place where the process was 781 received to the place of attempted service, and if multiple trips to 782 effectuate service are made, back to the place where process was 783 received and then to the place of the subsequent attempt at service, and 784 thence in the case of civil process to the place of return provided the 785 officer or person shall state in the return of service that in-hand personal 786 service was requested or required, or that in-hand service was made 787 pursuant to subsection (h) of section 46b-15, as amended by this act, or 788 subsection (d) of section 46b-16a, and that multiple trips were necessary 789 to effectuate in-hand personal service. The officer or person requesting 790 the receipt of such round trip travel shall make out a bill reciting the

791 dates, times and results of each trip the officer or person traveled while 792 attempting to effectuate in-hand personal service. The officer or person 793 requesting the receipt of such fees for attempted round trip travel may 794 only receive such fees from the Judicial Department when ordered by 795 the court or by law to effectuate in-hand personal service and only when 796 such in-hand personal service is effectuated, when in-hand personal 797 service of process is made pursuant to subsection (h) of section 46b-15, 798 as amended by this act, or subsection (d) of section 46b-16a. Such 799 payment from the Judicial Department of attempted round trip travel 800 for in-hand service of process may be limited to three round trips, 801 provided nothing in this section shall limit payment of a greater amount 802 from the Judicial Department to an officer or person serving process. For 803 service made pursuant to subsection (h) of section 46b-15, as amended 804 by this act, and subsection (d) of section 46b-16a, which was not 805 effectuated in-hand, regardless of any attempts to effectuate service in-806 hand, the mileage fee shall be from the place where the process was 807 received to the place of service, and thence in the case of civil process to 808 the place of return. Where the court allows an applicant additional time to make service under subsection (c) of section 46b-15 or subsection (e) 809 810 of section 46b-16a, for purposes of calculating the mileage fee for 811 multiple trips, such extra time will be considered a continuation of the 812 original attempts at service. Each officer or person who serves process 813 shall also receive the moneys actually paid for town clerk's fees on the 814 service of process. Each officer or person who serves process shall also 815 receive the moneys actually paid for fees for the disclosure or search of 816 records of the Department of Motor Vehicles in connection with the 817 service of process. Any officer or person required to summon jurors by 818 personal service of a warrant to attend court shall receive for the first 819 ten miles of travel while so engaged, such mileage to be computed from 820 the place where such officer or person receives the process to the place 821 of service, twenty-five cents for each mile, and for each additional mile, 822 ten cents. For summoning any juror to attend court otherwise than by 823 personal service of the warrant, such officer or person shall receive only 824 the sum of fifty cents and actual disbursements necessarily expended by 825 such officer or person in making service thereof as directed.

826 Notwithstanding the provisions of this section, for summoning grand 827 jurors, such officer or person shall receive only such officer's or person's 828 actual expenses and such reasonable sum for services as are taxed by the 829 court. The following fees shall be allowed and paid: (A) For taking bail 830 or bail bond, one dollar; (B) for copies of writs and complaints, exclusive 831 of endorsements, one dollar per page, not to exceed a total amount of 832 nine hundred dollars in any particular matter; (C) for endorsements, 833 fifty cents per page or fraction thereof; (D) for service of a warrant for 834 the seizure of intoxicating liquors, or for posting and leaving notices 835 after the seizure, or for the destruction or delivery of any such liquors 836 under order of court, twenty dollars; (E) for the removal and custody of 837 such liquors so seized, reasonable expenses, and twenty dollars; (F) for 838 the levy of an execution, when the money is actually collected and paid 839 over, or the debt or a portion of the debt is secured by the officer, fifteen 840 per cent on the amount of the execution, provided the minimum fee for 841 such execution shall be fifty dollars; (G) on the levy of an execution on 842 real property and on application for sale of personal property attached, 843 to each appraiser, for each half day of actual service, reasonable and 844 customary expenses; (H) for causing an execution levied on real 845 property to be recorded, fees for travel, twenty dollars and costs; (I) for 846 services on an application for the sale of personal property attached, or 847 in selling mortgaged property foreclosed under a decree of court, the 848 same fees as for similar services on executions; (J) for committing any 849 person to a community correctional center, in civil actions, the fee set by 850 the Department of Administrative Services for state employees for each 851 mile of travel, from the place of the court to the community correctional 852 center; (K) for summoning and attending a jury for reassessing damages or benefits on a highway, three dollars a day; (L) for any recording for 853 854 which the recording fee is not otherwise prescribed by law, fifty dollars, 855 costs and the fee set by the Department of Administrative Services for 856 state employees for each mile of travel; and (M) for postage or 857 international mailing costs incurred pursuant to a court order, actual 858 expenses. The court shall tax as costs a reasonable amount for the care 859 of property held by any officer under attachment or execution. The 860 officer serving any attachment or execution may claim compensation for

time and expenses of any person, in keeping, securing or removing property taken thereon, provided such officer shall make out a bill. The bill shall specify the labor done, and by whom, the time spent, the travel, the money paid, if any, and to whom and for what. The compensation for the services shall be reasonable and customary and the amount of expenses and shall be taxed by the court with the costs.

Sec. 22. Subsection (a) of section 52-261a of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective October*1, 2025):

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

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

880 (2) Except as provided in subdivision (3) of this subsection, in 881 addition to the fee set forth in subdivision (1) of this subsection, each 882 officer or person who serves process shall receive, for each mile of travel, 883 the same amount per mile as provided for state employees pursuant to 884 section 5-141c, subject to adjustment within thirty days of any revision 885 to the federal General Services Administration mileage reimbursement 886 rate, to be computed from the place where such officer or person 887 received the process to the place of service, and thence in the case of civil 888 process to the place of return, provided, if more than one process is 889 served on one person at one time by any such officer or person, the total cost of travel for such service shall be the same as for the service of one 890 891 process only, except that in the case in which an officer or person is 892 requested or required to effectuate in-hand personal service, such officer

893 shall also receive the fee set by the Department of Administrative 894 Services for state employees for each mile of travel, subject to adjustment within thirty days of any revision to the federal General 895 896 Services Administration mileage reimbursement rate, for each round 897 trip traveled while attempting to effectuate in-hand personal service, to 898 be computed from the place where the process was received to the place 899 of attempted service, and if multiple trips to effectuate service are made, 900 back to the place where process was received and then to the place of the subsequent attempt at service, and thence in the case of civil process 901 902 to the place of return, provided the officer or person shall state in the 903 return of service that in-hand personal service was requested or 904 required and that multiple trips were necessary to effectuate in-hand 905 personal service. The officer or person requesting the receipt of such 906 round trip travel shall make out a bill reciting the dates, times and 907 results of each trip the officer or person traveled while attempting to effectuate in-hand personal service. The officer or person requesting the 908 909 receipt of such attempted round trip travel shall receive such travel fees 910 for attempted service only when in-hand personal service of process is 911 effectuated. Such travel fees paid may be limited to three round trips, 912 provided nothing in this section shall limit payment of a greater amount 913 to an officer or person serving process.

914 (3) Each officer or person who serves process to enforce the obligation 915 of an attorney pursuant to subdivision (2) of subsection (a) of section 51-916 81d shall receive the fee set by the Department of Administrative 917 Services for state employees for each mile of travel, subject to 918 adjustment within thirty days of any revision to the federal General 919 Services Administration mileage reimbursement rate, to be computed 920 from the place where such officer or person received the process to the 921 place of service, and thence to the place of return. If more than one 922 process is served on one person at one time by any such officer or 923 person, the total cost of travel for the service shall be the same as for the 924 service of one process only.

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

927 (5) Each officer or person who serves process shall also receive the
928 moneys actually paid for fees for the disclosure or search of records of
929 the Department of Motor Vehicles in connection with the service of
930 process.

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

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

940 Sec. 23. Section 52-50 of the general statutes is repealed and the 941 following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) All process shall be directed to a state marshal, a constable or other
proper officer authorized by statute, or, subject to the provisions of
subsection (b) of this section, to an indifferent person. A direction on the
process "to any proper officer" shall be sufficient to direct the process to
a state marshal, constable or other proper officer.

(b) Process shall not be directed to an indifferent person unless
authorized by statute. Any indifferent person who, knowing that he is
not authorized to do so under this section or any other provision of the
general statutes, serves process shall be guilty of a class A misdemeanor.

(c) Service of motions for modification, motions for contempt and
wage withholdings in any matter involving a beneficiary of care or
assistance from the state and in other IV-D child support cases may be
made by any investigator employed by the Commissioner of
Administrative Services or the Commissioner of Social Services.

956 (d) Service of motions for modification, motions for contempt and

wage withholdings in any matter involving child support, including,
but not limited to, petitions for support authorized under sections 17b745 and 46b-215, and those matters involving a beneficiary of care or
assistance from the state, and service of other process in IV-D support
cases, as defined in subdivision (13) of subsection (b) of section 46b-231,
may be made by a support enforcement officer or support services
investigator of the Superior Court.

964 (e) Borough bailiffs may, within their respective boroughs, execute all965 legal process which state marshals or constables may execute.

966 (f) (1) Process directed to a state marshal by an attorney-at-law or public agency, as defined in section 13 of this act, shall be delivered to 967 such state marshal by either (A) providing the original process printed 968 on paper and personally signed in ink by the issuing authority, along 969 970 with sufficient copies for the state marshal to effectuate service, except 971 that in matters where the process to be served has been issued by or filed 972 with the Judicial Department before delivery to a state marshal, the 973 original process delivered to such state marshal as prescribed by this 974 subparagraph may be a printed copy of the process as filed with the 975 Judicial Department, or (B) transmitting the process to a state marshal 976 electronically pursuant to the provisions of section 13 of this act.

977 (2) Process directed to a state marshal by parties other than an 978 attorney-at-law or public agency, as defined in section 13 of this act, 979 including self-represented parties, which are returnable to a court, 980 agency, board or tribunal, as the case may be, which is located in this 981 state and is established by the general statutes or a special act, shall be 982 delivered to such state marshal by providing the original process 983 printed on paper and personally signed in ink by the issuing authority, 984 along with sufficient copies for the state marshal to effectuate service, 985 except that in matters where the process to be served is on file with the Judicial Department before delivery to a state marshal, the original 986 987 process delivered to such state marshal as prescribed by this 988 subparagraph may be a printed copy of the process as filed with the 989 Judicial Department.

990	(3) Process directed to a state marshal which originates from a court
991	or public agency outside of this state, which is established under a law
992	other than the law of this state may be transmitted to a state marshal
993	<u>electronically pursuant to the provisions of section 13 of this act.</u>
994	(4) In the case where sufficient copies of the documents to be served,
995	as provided for in this section, have not been given to a state marshal to
996	effectuate service, a state marshal may charge for the production of
997	actual copies produced as needed to complete service of process, and
998	shall charge the fees provided for in subsection (i) of section 13 of this
999	act, subject to the exclusions set forth in said subsection, as if the process
1000	were transmitted electronically.
1001	$C_{12} = 24  C_{12} = 122  c_{12$
1001	Sec. 24. Subsection (a) of section 52-143 of the general statutes is
1002	repealed and the following is substituted in lieu thereof ( <i>Effective October</i>
1003	1, 2025):
1004	(a) Subpoenas for witnesses shall be <u>personally</u> signed <u>in ink</u> by the
1005	[clerk of the court or] hand of a commissioner of the Superior Court
1006	[and] or by the hand of the clerk of the court or an authorized court
1007	employee. The Chief Court Administrator may prescribe an alternative
1008	means for the signing of such subpoenas involving Judicial Branch
1009	employees. Such subpoenas shall be served by an officer, indifferent
1010	person or, in any criminal case in which a defendant is represented by a
1011	public defender or Division of Public Defender Services assigned
1012	counsel, by an investigator of the Division of Public Defender Services.
1013	[The subpoena] Such subpoenas shall be served not less than eighteen
1014	hours prior to the time designated for the person summoned to appear,
1015	unless the court orders otherwise.
1016	Sec. 25. Section 52-45a of the general statutes is repealed and the
1010	following is substituted in lieu thereof ( <i>Effective October 1, 2025</i> ):
1017	Tonowing is substituted in neu mereor (Ejjective Octover 1, 2025).
1018	Civil actions shall be commenced by legal process consisting of a writ
1019	of summons or attachment, describing the parties, the court to which it
1020	is returnable, the return day, the date and place for the filing of an
1021	appearance and information required by the Office of the Chief Court
	sHB7139 / File No. 934 32

1022	Administrator. The writ shall be accompanied by the plaintiff's
1023	complaint. The writ may run into any judicial district and shall be
1024	<u>personally</u> signed <u>in ink</u> by <u>the hand of</u> a commissioner of the Superior
1025	Court. [or] The writ may also be signed by the hand of a judge, an
1026	authorized court employee or clerk of the court. [to which it is
1027	returnable] The Chief Court Administrator may prescribe an alternative
1028	means for the signing of writs involving Judicial Branch employees.

1029 Sec. 26. Section 6-38n of the general statutes is repealed. (*Effective* 

1030 October 1, 2025)

This act shall take effect as follows and shall amend the following						
sections:						
Section 1	October 1, 2025	6-30a(a)				
Sec. 2	October 1, 2025	6-35				
Sec. 3	October 1, 2025	6-38				
Sec. 4	October 1, 2025	6-38a(a)				
Sec. 5	October 1, 2025	6-38b				
Sec. 6	October 1, 2025	6-38c				
Sec. 7	October 1, 2025	6-38d				
Sec. 8	October 1, 2025	6-38e				
Sec. 9	October 1, 2025	6-39				
Sec. 10	October 1, 2025	14-10(f)				
Sec. 11	October 1, 2025	34-243r				
Sec. 12	October 1, 2025	New section				
Sec. 13	October 1, 2025	New section				
Sec. 14	October 1, 2025	46b-15(h)(1)				
Sec. 15	October 1, 2025	52-593a				
Sec. 16	October 1, 2025	4-183(c)				
Sec. 17	October 1, 2025	52-57(b)				
Sec. 18	October 1, 2025	47a-23(c)				
Sec. 19	October 1, 2025	47a-42(b)				
Sec. 20	October 1, 2025	49-22(b)				
Sec. 21	October 1, 2025	52-261(a)				
Sec. 22	October 1, 2025	52-261a(a)				
Sec. 23	October 1, 2025	52-50				
Sec. 24	October 1, 2025	52-143(a)				
Sec. 25	October 1, 2025	52-45a				

Sec. 26	October 1, 2025	Repealer section

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 26 \$	FY 27 \$
Department of Administrative	GF - Potential	40,000	40,000
Services	Cost		
Department of Motor Vehicles	TF - Revenue	Potential	Potential
	Gain		

Note: GF=General Fund; TF=Transportation Fund

### Municipal Impact: None

#### Explanation

The bill, which makes various changes affecting state marshals and service of process, results in the following fiscal impacts:

**Section 8** requires the State Marshal Commission to perform audits related to complaints made against state marshals which results in a cost of \$40,000 in FY 26 and FY 27.

**Section 10** expands information sharing between state marshals and the Department of Motor Vehicles (DMV) and allows DMV to charge a fee for such service. To the extent that DMV charges a fee, this section results in a potential revenue gain from fees.

The bill makes other changes related to state marshals which result in no fiscal impact to the state or municipalities.

House "A" makes technical changes to the underlying bill resulting in no fiscal impact.

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.
## **OLR Bill Analysis**

sHB 7139 (as amended by House "A")\*

# AN ACT CONCERNING THE DUTIES OF STATE MARSHALS AND THE ACTIVITIES UNDERTAKEN BY THE STATE MARSHAL COMMISSION AND THE STATE MARSHALS ADVISORY BOARD.

## TABLE OF CONTENTS:

## **SUMMARY**

## <u>§§ 1 & 9 — PERSONAL LIABILITY INSURANCE AND REQUIRED</u> BOND

Increases a state marshal's required amount of personal liability insurance and bond; starting January 1, 2026, requires renewed personal liability insurance policies to have annual coverage that extends from October 1 to September 30

## § 2 — COLLECTION PROCEDURES

Makes changes to the deadlines by which a state marshal must pay money he or she collected to the person authorized to receive it

#### <u>§ 3 — NUMBER OF APPOINTMENTS BY COUNTY</u>

Reduces the number of state marshals appointed in each county, resulting in a total statewide reduction of 83 marshals

## <u>§ 4 — STATE MARSHAL DEFINED</u>

Recategorizes state marshals as appointed officials, rather than independent contractors, exclusively compensated on a fee for service basis; specifies that they have a duty to provide legal execution and service of process, not just the authority to do so; subjects their fee for service to both minimum and maximum established rates

#### § 5 — STATE MARSHAL COMMISSION

Makes changes to the State Marshal Commission's duties regarding filling vacancies, issuing administrative bulletins, and adopting rules and regulations on professional standards, fitness for duty, and timely payments

## <u>§ 6 — STATE MARSHALS ADVISORY BOARD</u>

Changes the member selection process for the State Marshals Advisory Board and specifies its charge

## § 7 — STATE MARSHAL PROFESSIONAL STANDARDS

Prohibits state marshals from knowingly making false or illegal return of process and makes those actions prohibited under the state marshals' professional standards

## <u>§ 8 — AUDIT AND REVIEW OF RECORDS</u>

sHB7139 / File No. 934

Gives the State Marshal Commission access to a deceased or disabled state marshal's trust account to turn it over to a successor marshal; prioritizes audits when there is probable cause in a written complaint

#### § 10 — DISCLOSURE OF PERSONAL INFORMATION BY DMV

*Expands information sharing between the DMV commissioner and state marshals and allows it to be done electronically for a fee* 

## <u>§ 11 — SERVICE OF PROCESS ON LIMITED LIABILITY COMPANIES</u>

Expands who may be served in actions against an LLC or registered foreign LLC

#### <u>§ 12 — SERVICE OF PROCESS ON DOC CORRECTIONAL OFFICER</u> OR EMPLOYEE

Allows a writ of summons in a civil action against a DOC correctional officer or employee to be served upon a person the DOC commissioner designates at the facility where the officer or employee works

#### <u>§ 13 — ELECTRONIC FORMAT TO DIRECT PROCESS</u>

Generally allows an attorney-at-law or public agency to direct process to a state marshal electronically in certain cases; establishes requirements for things such as format, content, and fees; gives state marshals immunity from civil liability

#### <u>§ 14 — SERVICE OF PROCESS FOR RESTRAINING ORDERS</u>

Allows a civil restraining order applicant to transmit the hearing notice and other required documents electronically to a proper officer for service; subjects them to certain provisions of the bill's new electronic transmittal of process

#### § 15 — PROCESS SERVED AFTER THE LIMITATION PERIOD

Specifies that process to be served after the statute of limitations has expired must be printed on paper and personally signed

#### § 16 — SERVICE OF APPEAL OF AGENCY DECISION

Requires service of appeals of final agency decisions to be made by a state marshal in the same way as complaints are served in ordinary civil actions; eliminates the option of U.S. mail or personal service by proper officers or indifferent persons

#### § 17 — SERVICE OF PROCESS RELATED TO MUNICIPALITIES

*Expands the list of people who may be served process in civil actions when the defendant is a town, city, or borough or certain related persons or entities* 

## <u>§§ 18-20 — CIVIL PROCESS RELATED TO EVICTIONS AND</u> <u>FORECLOSURES</u>

Makes changes related to the service of an eviction notice; clarifies the requirements for notice to the town in executing evictions and foreclosure ejectments; requires Judicial Departmentprescribed execution forms to include notice that a person who fails to leave the property after being told to do so when a state marshal returns to execute the order may be subject to 1st degree criminal trespass

## <u>§§ 21 & 22 — STATE MARSHALS' MILEAGE REIMBURSEMENT</u> RATE

Subjects the DAS-based mileage reimbursement rate that officers receive for serving process to adjustments within 30 days after any revisions of the federal GSA mileage reimbursement rate

#### <u>§ 23 — PROCESS DIRECTED TO A STATE MARSHAL</u>

Makes corresponding changes in the law on how process must be directed to a state marshal to reflect who can use the bill's new electronic format

#### <u>§§ 24 & 25 — SUBPOENAS FOR WITNESSES AND COMMENCEMENT</u> OF CIVIL PROCESS

Specifically requires a Superior Court commissioner to sign subpoenas for witnesses and writs for civil actions personally in ink by hand; allows judges, clerks, and authorized employees to do so by hand; authorizes the chief court administrator to prescribe an alternative for subpoenas and writs involving court employees

#### <u>§ 26 — REPEALER</u>

Repeals an obsolete provision that previously allowed high sheriffs to apply for appointment as a state marshal

#### SUMMARY

This bill makes various changes in statutes affecting state marshals and service of process. A section-by-section analysis appears below.

It also makes minor, technical, and conforming changes.

\*<u>House Amendment "A"</u> principally (1) specifies that state marshals have a duty to provide execution and service of process, (2) provides that their fee is subject to both the minimum and maximum established rates, and (3) requires the judicial branch's eviction and ejectment notices to specify that failure to leave when told to do so when the state marshal returns for the action constitutes 1st degree criminal trespass.

EFFECTIVE DATE: October 1, 2025

# §§ 1 & 9 — PERSONAL LIABILITY INSURANCE AND REQUIRED BOND

Increases a state marshal's required amount of personal liability insurance and bond; starting January 1, 2026, requires renewed personal liability insurance policies to have annual coverage that extends from October 1 to September 30

#### Personal Liability Insurance (§ 1)

The bill increases the amount of personal liability insurance each marshal must carry for damages caused by their tortious acts (see below) as follows:

1. from \$100,000 to \$250,000, for damages caused to any one person

or any one person's property and

2. from \$300,000 to \$500,000, for damages caused to more than one person or more than one person's property.

Starting January 1, 2026, when renewing a personal liability insurance policy, the bill requires that the policy have a renewal date and a term of coverage starting on October 1 of each year and extending through September 30 of the following year.

Under existing law, unchanged by the bill, a "tortious act" is generally a negligent act, error, or omission for which a state marshal may become legally obligated to pay damages if committed while making or attempting to make an arrest or against a person under arrest (e.g., false arrest or imprisonment).

# Bond Amount (§ 9)

The bill increases, from \$10,000 to \$100,000, the bond amount that each state marshal must give the State Marshal Commission before starting their duties. By law, unchanged by the bill, the state pays the premium for the bond.

Existing law, unchanged by the bill, also requires a state marshal to execute a \$100,000 bond before he or she can collect tax warrants for the state or a municipality.

# § 2 — COLLECTION PROCEDURES

Makes changes to the deadlines by which a state marshal must pay money he or she collected to the person authorized to receive it

The bill makes changes to the deadlines by which a state marshal must pay the person authorized to receive money collected on behalf of someone.

Under current law, a state marshal must do so within 30 calendar days after collecting the money or upon collecting \$1,000 or more, whichever is earlier. The bill requires the state marshal to do so within 30 calendar days after collecting the money, regardless of the dollar amount.

The bill also establishes a new time frame and requirements for money collected through a personal check instead of the default 30 days noted above. In these cases, the state marshal must expeditiously deposit the check into the marshal's noninterest-bearing trustee account and pay the money to the person within 45 days after the personal check was collected.

As under current law, the bill allows the state marshal and the person to agree to a payment deadline different from that specified by the law, including for personal checks.

By law, a state marshal who does not comply with these requirements or an agreement, as applicable, is liable to the person for interest at a rate of 5% per month from the date on which the state marshal received the money.

# § 3 — NUMBER OF APPOINTMENTS BY COUNTY

Reduces the number of state marshals appointed in each county, resulting in a total statewide reduction of 83 marshals

The bill reduces the number of state marshals to be appointed in each county as shown in the table below, resulting in a decrease of 83 appointments statewide (from 318 to 235).

		-
County	Appointments Under Current Law	Appointments Under the Bill
Hartford	72	62
New Haven	62	55
New London	38	20
Fairfield	55	55
Windham	18	7
Litchfield	30	13
Middlesex	21	13
Tolland	22	10
Total	318	235

Table: State Marshals To Be Appointed in Each County

# § 4 — STATE MARSHAL DEFINED

Recategorizes state marshals as appointed officials, rather than independent contractors, exclusively compensated on a fee for service basis; specifies that they have a duty to provide legal execution and service of process, not just the authority to do so; subjects their fee for service to both minimum and maximum established rates

Under current law, a "state marshal" is a qualified deputy sheriff incumbent on June 30, 2000, or appointed by the State Marshal Commission, who (1) has authority to provide legal execution and service of process in the state counties as an independent contractor and (2) is compensated on a fee for service basis, determined subject to any minimum rate promulgated by the state, by agreement with an attorney, court or public agency requiring execution or service of process.

The bill no longer regards state marshals as independent contractors, but instead categorizes them as officials who are exclusively compensated on a fee for service basis by agreement with an attorney, court, or public agency requiring execution or service of process. Under the bill, the fee is subject to any minimum or maximum rate the state establishes, instead of only a minimum rate.

It also specifies that a state marshal has the duty, and not only the authority, to provide legal execution and service of process in the state's counties.

# § 5 — STATE MARSHAL COMMISSION

Makes changes to the State Marshal Commission's duties regarding filling vacancies, issuing administrative bulletins, and adopting rules and regulations on professional standards, fitness for duty, and timely payments

The bill makes changes to the State Marshal Commission's duties regarding filling vacancies, issuing administrative bulletins, and adopting rules and regulations on professional standards, fitness for duty, and timely payments.

# Professional Standards and Fitness for Duty

By law, the State Marshal Commission, in consultation with the State Marshals Advisory Board, must adopt regulations to establish professional standards for marshals. Under current law, these standards must include training requirements and minimum fees for the execution and service of process. The bill expands this by requiring the commission to adopt regulations to establish (1) residency requirements and (2) duty fitness and annual certification requirements for state marshals over age 72.

The bill specifies that state marshals must bear the expense associated with any fitness for duty certification adopted by the commission under the regulations.

## **Filling Vacancies**

Current law requires the commission to fill any vacancy for a state marshal position with an applicant who is an elector in the county where the vacancy occurs. The bill further requires that the applicant's permanent place of abode, domicile, and residence also be in the county where the vacancy occurred.

Under current law, the applicant for the vacancy must be subject to the commission's application and investigation requirements under regulations the commission must adopt. The bill additionally subjects the applicant to the commission's examination and bonding requirements and requires the commission to adopt related regulations.

## Restraining Order and Timely Payment Rules

The law requires the commission to adopt rules necessary for conducting its internal affairs in consultation with the judicial branch, including rules on providing timely, consistent, and reliable access to a state marshal for individuals applying for a restraining order. The bill requires the commission to also provide this for individuals applying for civil protection orders.

Additionally, under the bill, these rules must also provide for the Judicial Department's timely payment to state marshals following existing law on timely payments by state agencies.

Generally, payment is considered timely if a check or warrant is mailed or delivered on the date specified for the amount specified in the applicable contract documents, or, if no date is specified, within 45 days after receipt of a properly completed claim or receipt of goods and services, whichever is later. Delayed payments must include interest (CGS § 4a-71).

# Administrative Bulletins

The bill also requires the commission, at least quarterly, to issue administrative bulletins to state marshals on topics concerning service of process and legal execution. The bulletins must at least cover:

- 1. changes to state law affecting the state marshals' duties;
- 2. topics that refresh state marshals' knowledge in subject matter areas affecting their duties;
- 3. topics concerning state marshals' safety and professionalism when interacting with the public; and
- 4. topics relating to the nature of complaints filed against state marshals with the State Marshal Commission.

# § 6 — STATE MARSHALS ADVISORY BOARD

Changes the member selection process for the State Marshals Advisory Board and specifies its charge

The bill changes how members are selected for the State Marshals Advisory Board. It also specifies that the board is established to advise and make recommendations to the State Marshal Commission and to consider matters referred to it from the commission.

Under current law, between November 9 and November 14, the state marshals in each county must annually elect a specified number of marshals in the county to serve on the board. The bill expands the annual selection window to between November 1 and November 20 each year and eliminates provisions that specifically address the current selection process. It instead requires the board to adopt rules as it deems necessary to conduct its elections and internal affairs, including procedures for selecting a chairperson and other officers, as may be necessary, from the board's members.

Additionally, the bill requires the board to hold an annual meeting in December to select two state marshals to be appointed as ex-officio members of the State Marshal Commission for a one-year term. The board must also fill any vacancies in these appointments for the remainder of the term.

## §7 — STATE MARSHAL PROFESSIONAL STANDARDS

*Prohibits state marshals from knowingly making false or illegal return of process and makes those actions prohibited under the state marshals' professional standards* 

Current law prohibits a state marshal from knowingly billing for, or receiving fees for, work that he or she did not do. The bill also prohibits a state marshal from (1) allowing another person to serve process in his or her place or (2) knowingly making a false or illegal return of process.

The bill makes any violation under current law or the bill without good cause sufficient to convene the commission for a hearing on the state marshal's removal.

# § 8 — AUDIT AND REVIEW OF RECORDS

Gives the State Marshal Commission access to a deceased or disabled state marshal's trust account to turn it over to a successor marshal; prioritizes audits when there is probable cause in a written complaint

## Periodic Audits

By law, the State Marshal Commission must periodically review and audit state marshal records and accounts. When doing so, the bill requires the commission to prioritize an audit when it finds there is probable cause relating to a written complaint against a state marshal about the collection of money under an execution or warrant.

As under existing law, information obtained by the commission from these audits is confidential and not subject to disclosure under the Freedom of Information Act.

## Death or Disability of a State Marshal

Under current law, upon a state marshal's death or disability, the

commission must appoint a qualified individual to oversee and audit the state marshal's records and accounts and render an accounting to the commission. The bill requires the commission to do so within 30 days after the death or disability.

Upon the death or disability of a state marshal, the bill authorizes the commission, through a letter signed by its chairperson, to direct any financial institution with access to, or custody of, financial accounts the state marshal used to collect money under tax collection and civil action law to turn over the accounts to a successor state marshal the commission appoints.

Under the bill, if any person or financial institution refuses to comply with the order, the commission must certify the facts relating to the noncompliance to the attorney general, which must apply to the Superior Court for an order compelling compliance.

# § 10 — DISCLOSURE OF PERSONAL INFORMATION BY DMV

*Expands information sharing between the DMV commissioner and state marshals and allows it to be done electronically for a fee* 

Current law allows the Department of Motor Vehicles (DMV) commissioner to disclose personal information from a motor vehicle record to state marshals performing their duties by fax and other means the DMV commissioner may require. The bill explicitly allows the information to be requested and provided electronically instead of by fax.

It also explicitly expands information sharing between DMV and state marshals by allowing the commissioner to do the following:

- 1. disclose operator photos and records produced by providing an operator's license number, number plate, or vehicle identification number;
- 2. use the department's existing electronic system to transmit the records; and

3. charge a state marshal a reasonable annual fee for access to the records and for using the electronic system.

# § 11 — SERVICE OF PROCESS ON LIMITED LIABILITY COMPANIES

Expands who may be served in actions against an LLC or registered foreign LLC

The bill expands who may be served process in any action against a limited liability company (LLC) or registered foreign LLC.

Under current law, an LLC or registered foreign LLC may be served with any process, notice, or demand required or permitted by law by any proper officer or other person lawfully empowered to make service leaving a true and attested copy with the company's registered agent or at his or her usual place of abode in Connecticut.

The bill expands this by allowing service to be made upon the company's manager or employee or at his or her usual place of abode in Connecticut. The bill also specifies that existing law that allows service upon the company's registered agent at the usual place of abode specifically applies when the agent is a natural person.

If the LLC or registered foreign LLC ceases to have a registered agent, or if the agent cannot be served with reasonable diligence, current law allows service to be made to the LLC's principal office. The bill also authorizes service to the LLC's mailing address and requires this address to be included in the most recent annual report that must be submitted by law to the secretary of the state.

Lastly, if the process, notice, or demand cannot be served as described above, current law allows service to the individual in charge of any regular place of business or activity of the LLC (if the individual served is not a plaintiff in the action). The bill additionally specifies that service to the LLC's manager is sufficient under this provision.

# § 12 — SERVICE OF PROCESS ON DOC CORRECTIONAL OFFICER OR EMPLOYEE

Allows a writ of summons in a civil action against a DOC correctional officer or employee to be served upon a person the DOC commissioner designates at the facility where the officer or employee works

The bill allows a writ of summons in a civil action naming a Department of Correction (DOC) correctional officer or employee to be served upon a person the DOC commissioner designates at the facility where the correctional officer or employee is assigned. The designated person must act as the agent of the person named in the writ. Under the bill, service upon the commissioner's designated agent must be deemed to be service upon the correctional officer or employee.

The bill's provisions do not apply when service can be made as in actions against the state (e.g., served upon the attorney general). When service cannot be made as in actions against the state, the bill specifies that its provisions must not be construed as the exclusive or required means of serving a DOC correctional officer or employee.

# § 13 — ELECTRONIC FORMAT TO DIRECT PROCESS

Generally allows an attorney-at-law or public agency to direct process to a state marshal electronically in certain cases; establishes requirements for things such as format, content, and fees; gives state marshals immunity from civil liability

# *Directing Process in Electronic Format Allowed in "Special Occasions"*

The bill allows an attorney-at-law or public agency (see below) to direct process to a state marshal electronically on any special occasion so long as the attorney or agency carries out the required actions below. This applies to any writ, summons, complaint, subpoena, attachment, execution, application, order, notice, motion, or petition.

Under the bill, a "special occasion" is a time when a party authorized to electronically transmit process to a state marshal determines it to be necessary, convenient, or desirable to use the bill's electronic format, subject to a fee as prescribed by the bill, instead of giving the state marshal an original process printed on paper, along with sufficient copies for service of process. An "attorney-at-law" is an attorney admitted to practice law in Connecticut, another state, district, territory or insular possession of the United States, foreign country, or in a United States federal or tribal court. It includes someone duly authorized by the attorney-at-law to transmit documents to a state marshal following the bill's provisions on the electronic format. A "public agency" is generally any executive, administrative, or legislative office of the state or any of its political subdivisions; any person to the extent the person is deemed to be the functional equivalent of a public agency under law; or any implementing agency. It also includes a quasi-public agency and an executive, legislative, or judicial agency, department, board, commission, authority, institution, or instrumentality of another state or of a county, municipality, or other political subdivision of another state.

**Required Actions of Attorney-at-Law or Public Agency.** The electronically transmitted process must clearly and accurately provide an image of the original process, including the signature of the issuing authority. The attorney-at-law or public agency must also do the following:

- 1. obtain the state marshal's permission before transmitting the process electronically for service;
- 2. transmit each process to the state marshal in one electronic file per process, in a letter-sized document, in a portable document format (see below) that contains all pages of the document to be served, collated in the proper order for which the attorney-at-law or public agency is directing the state marshal to serve, so that the state marshal may print one electronic file per process without the need to collate, assemble, or print multiple electronic documents in a particular matter before making service;
- 3. electronically transmit to the state marshal a letter, electronic mail, or written instruction for service for each process to be served that succinctly provides the necessary information required for the state marshal to make legal service (see *Information Required on the Electronic Submission* below);
- 4. in matters involving service of orders of protection and relief or where personal service is requested, electronically transmit to the

state marshal information about the profile of the person to be served, when known and available;

- 5. retain the original process that has been electronically transmitted to the state marshal, and when filed with the court, agency, board, or tribunal, as the case may be, where the process is to be returned, cause the same document that was electronically transmitted to the state marshal for service to be filed without any alteration or amendment; and
- 6. file amended process (see below) where amendments are made to the process by a state marshal at the time of service.

An attorney-at-law or public agency may not electronically transmit the same process to more than one state marshal for service.

Under the bill, a "portable document format" is an electronic file format that facilitates document exchange; is designed to be independent of the software, hardware, and operating systems used to create the document; and preserves the fonts, formatting, pagination, and graphics of the source document, allowing the document to be viewed as it was intended to appear regardless of the device or platform. "Amended process" is, at the direction of the issuing authority, changes made by a state marshal to a process to modify, adjust, or correct minor, technical, clerical, typographical, or scrivener's errors or conforming changes made during service of process, including adjustments made to a party's name, alias, agent, or addresses; the court; or the return date of the process.

# Information Required on the Electronic Submission

Information electronically transmitted to the state marshal must include a photo or the person's physical description and the person's age or date of birth; telephone numbers; known places they spend time; employer, work location, and working hours; and vehicles, including make, model, and plate numbers. It must also include any safety concerns about the person when making service. The information may be provided by using the respondent profile form, which is accessible electronically on the judicial branch's website.

## **Electronically Transmitted Process Deemed Original Document**

Under the bill, process that an attorney-at-law or public agency electronically transmits to a state marshal for service under the bill must be deemed to be an original document in the hands of a state marshal for service where any provision of the general statutes requires a state marshal to serve a true and attested copy of any process.

## State Marshal's Requirements

The bill does not require state marshals to accept process in an electronic format, unless otherwise required by law. They may voluntarily elect to receive the electronic transmission of process at the request of an attorney-at-law or public agency, subject to the bill's provisions and prescribed fees (see below). In these cases, the state marshals must maintain and monitor an email address for this purpose.

Under the bill, when printing the documents for service under these provisions, a state marshal must print them on letter-sized paper. When making service, the state marshal is not required to send printed documents or a printed return of service back to the attorney-at-law or public agency. The state marshal, however, must electronically transmit the marshal's return of service to the attorney-at-law or public agency.

The bill requires that if the process was amended by a state marshal at the time of service, the amended process must also be returned.

## Electronic Format Not Permitted Based on Number of Pages

Generally, an attorney-at-law or public agency must not transmit process to a state marshal in an electronic format if the number of (1) pages to be printed in any one matter for all parties to be served exceeds 50 pages in total or (2) processes for separate matters to be transmitted exceeds five within one week.

The bill allows a state marshal and an attorney-at-law or public agency to agree to a different number of processes or pages to be accepted by electronic transmission.

# **Electronic Format Prohibited**

Current law, unchanged by the bill, allows a 30-day grace period from the statute of limitations if process is provided by personal delivery to a state marshal before the statute of limitations expires. This grace period does not apply when process is provided electronically under the bill.

In a matter in which a statute of limitations is tolling within 60 days, process must only be delivered to a state marshal for service as original process, printed on paper, and personally signed in ink by the issuing authority, along with sufficient copies for the state marshal to effectuate service.

# Receipt and Rejection of Process by a State Marshal

**Receipt of Process.** Receipt of electronic process under the bill occurs when the state marshal replies to the attorney-at-law or public agency that transmitted the process.

**Rejection of Process.** Within two business days after receiving electronic process, the state marshal may reject it if the:

- 1. process does not include the required information or is not formatted or organized correctly, among other things;
- 2. process is not signed, or is out of order;
- 3. process is not received in a clear and legible format, or cannot be accessed electronically;
- 4. lawful deadline for service of the process cannot reasonably be met; or
- 5. number of pages or processes to be printed exceeds the limit the bill sets (see above).

A state marshal must notify the attorney-at-law or public agency by

email about the rejection of electronic process for service.

Under the bill, a "business day" is any day other than a Saturday, Sunday, or day on which a financial institution is closed as required or authorized by state or federal law.

# State Marshal's Fee

Under the bill, state marshals must receive fees for receiving, handling, and printing an electronic process. These fees are not a taxable cost of the action and must be listed on the state marshal's return of service under a separate total segregated from other fees.

In any one matter electronically transmitted for service under the bill, a state marshal must receive for each process, regardless of the number of persons to be served, a \$50 fee for receiving and handling electronic process for service. A state marshal must also receive a \$1 per page printing fee.

A state marshal receiving and printing an electronic process must charge the fees set by bill above. The fees must not be adjusted or waived and are not subject to a minimum rate promulgated by the state.

The state marshal's receiving, handling, and printing fees must not be considered a fee for copies of writs and complaints and must be in addition to any such fee payable to the officer serving process.

*Fee Exemption.* The fees for receiving, handling, and printing electronically transmitted process do not apply and cannot be charged for the following:

- 1. transmitting and printing executions for evictions and post judgment procedures,
- 2. warrants issued for local levy and tax collection,
- 3. execution of ejectments on foreclosure judgments,
- 4. service of process under a waiver of fees,

- 5. capias mittimus orders, or
- 6. orders of protection and relief.

# Immunity From Liability

Under the bill, a state marshal is not liable for damage, errors, or omissions related to the electronic transmission, receipt, printing, or filing of electronically transmitted process, including the following:

- 1. missing pages in the transmission;
- 2. failure to receive the electronic transmission due to electronic or technical malfunctions, or other similar errors; or
- 3. erroneous service of process due to the attorney-at-law's or public agency's failure to comply with the bill's provisions.

# § 14 — SERVICE OF PROCESS FOR RESTRAINING ORDERS

Allows a civil restraining order applicant to transmit the hearing notice and other required documents electronically to a proper officer for service; subjects them to certain provisions of the bill's new electronic transmittal of process

The law allows any family or household member who is the victim of domestic violence by another family or household member to apply to the Superior Court for a civil restraining order. If the court issues an exparte order (i.e. without a hearing) the applicant must notify the respondent about the hearing date.

The bill allows the civil restraining order applicant to transmit the hearing notice and other required documents electronically to a proper officer for service, subject to certain provisions that apply to an attorneyat-law or public agency that directs process electronically under the bill's new electronic format (see § 13 above). Specifically, it applies the provisions that:

- 1. establish the format, organization, and required content;
- 2. prohibit the electronic transmission of the same process to more than one officer for service;

- 3. deem process that is sent electronically to be an original document in the hands of a state marshal for service;
- establish how electronic process must be received by the state marshal and the timing and conditions under which it can be rejected; and
- 5. give state marshals immunity from liability in receiving and performing the process.

The bill requires restraining order applicants to also include the respondent profile form on the judicial branch's website.

Additionally, the bill prohibits an officer serving process from charging any kind of fee directly to a restraining order applicant. Under existing law, unchanged by the bill, the judicial branch is responsible for paying these fees.

## § 15 — PROCESS SERVED AFTER THE LIMITATION PERIOD

*Specifies that process to be served after the statute of limitations has expired must be printed on paper and personally signed* 

By law, a cause or right of action is not lost due to the expiration of the statute of limitations if the process to be served is personally delivered to a state marshal, constable, or other proper officer before the statute of limitation expires and the process is served, as provided by law, within 30 days after it was delivered to the marshal.

The bill specifies that under this provision the "process to be served" is the original process printed on paper and personally signed in ink by the issuing authority, along with sufficient copies for service. In doing so, it excludes from this provision any process that is directed in electronic format under the bill in a cause or right of action as described above.

# § 16 — SERVICE OF APPEAL OF AGENCY DECISION

Requires service of appeals of final agency decisions to be made by a state marshal in the same way as complaints are served in ordinary civil actions; eliminates the option of U.S. mail or personal service by proper officers or indifferent persons

By law, someone who has exhausted all administrative remedies available within an agency and who is aggrieved by a final decision may appeal to the Superior Court.

The law requires the person appealing to, within specified time periods, (1) serve a copy of the appeal on the agency that rendered the final decision at its office or at the attorney general's office in Hartford, (2) file the appeal with the clerk at specific judicial districts of the superior court, and (3) serve a copy of the appeal on each party listed in the final decision at the address shown in the decision.

Under current law, service of the appeal must be made by (1) U.S. mail, certified or registered, postage prepaid, return receipt requested, without the use of a state marshal or other officer or (2) personal service by a proper officer or indifferent person (i.e. someone who is not a proper officer and is not involved in the case) in the same manner as complaints are served in ordinary civil actions.

Under the bill, service of the appeal must be made by a state marshal in the same manner as complaints are served in ordinary civil actions. The bill eliminates the option of mail or personal service by proper officers or indifferent persons. In a conforming change, the bill also eliminates a provision under current law specifying that if service of the appeal is made by mail, it is effective when the appeal is deposited in the mail.

## § 17 — SERVICE OF PROCESS RELATED TO MUNICIPALITIES

*Expands the list of people who may be served process in civil actions when the defendant is a town, city, or borough or certain related persons or entities* 

As shown in the table below, the bill expands the list of people who may be served process in civil actions when the defendant is certain municipal entities or employees. It primarily does so by adding the assistant and deputy clerks, among others, as applicable.

## Table: Additional Persons Who May Receive Process

Service in Civil Actions Against the Following:	Persons Who May Receive Process Under Current Law	Additional Persons Who May Receive Process Under the Bill
Town	<ul> <li>Clerk</li> <li>Assistant clerk</li> <li>Manager</li> <li>One of its Selectmen</li> </ul>	Deputy clerk
City	<ul> <li>Clerk</li> <li>Assistant clerk</li> <li>Mayor</li> <li>Manager</li> </ul>	Deputy clerk
Borough	<ul> <li>Manager</li> <li>Clerk</li> <li>Assistant clerk</li> <li>Warden</li> <li>One of its Burgesses</li> </ul>	Deputy clerk
School District	<ul><li>Clerk</li><li>One of its committees</li></ul>	<ul> <li>Assistant clerk</li> <li>Deputy clerk</li> <li>Superintendent</li> <li>Assistance superintendent</li> <li>Deputy superintendent</li> </ul>
A board, commission, department, or agency of a town, city, or borough	Clerk	<ul><li>Assistant clerk</li><li>Deputy clerk</li></ul>
Municipal or Quasi- Municipal Corporation	<ul> <li>Clerk</li> <li>Chief presiding officer</li> <li>Managing agent</li> </ul>	<ul><li>Assistant clerk</li><li>Deputy clerk</li></ul>
Employee of a town, city, or borough (cause of action arising from duties or employment)	Clerk	<ul><li>Assistant clerk</li><li>Deputy clerk</li></ul>

# \$ 18-20 — CIVIL PROCESS RELATED TO EVICTIONS AND FORECLOSURES

Makes changes related to the service of an eviction notice; clarifies the requirements for notice to the town in executing evictions and foreclosure ejectments; requires Judicial Department-prescribed execution forms to include notice that a person who fails to leave the property after being told to do so when a state marshal returns to execute the order may be subject to 1st degree criminal trespass

Notice to Quit Possession (§ 18)

By law, when an owner or lessor, or their legal representative or attorney, wants to obtain possession or occupancy of their property, they must notify each lessee or occupant to quit possession or occupancy of the land, building, apartment, or dwelling unit, as applicable, at least three days before the rental agreement or lease terminates, if any, or before the time specified in the notice to quit.

The bill makes changes related to the service of this notice, including who may serve it, upon whom it may be served, and where it may be served.

Under current law, a copy of the notice must be delivered by a proper officer or an indifferent person to each lessee or occupant, or left where they live or, if the rental agreement or lease is for commercial property, at the place of the commercial establishment.

The bill instead requires the copy of the notice being served to be an attested copy and only allows a proper officer (and not an indifferent person) to serve the notice. For commercial establishments, it allows service by either:

- 1. leaving a copy of the notice for each lessee or occupant at a commercial establishment (instead of just leaving it at the commercial establishment) or
- 2. using the same method as complaints served in ordinary civil actions using state law's rules of civil process.

# Eviction of Tenants and Occupants of Residential Property (§ 19)

By law, in an eviction process, if judgment is entered for the landlord (and after any stay has expired), he or she must ask the court for an order requiring the tenant to move. The landlord gives the order of execution to a state marshal for proper service and if the tenant does not leave by the date in the notice, the marshal can physically remove the tenant's possessions to a town-designated storage facility (CGS § 47a-42a).

Eviction Notice to Chief Town Executive. Current law requires the

marshal to give the town's chief executive 24 hours' notice about the eviction (date, time, and location). But, before doing so, the marshal must use reasonable efforts to locate and notify the defendant about the eviction date and time.

The bill instead requires the marshal to first give the town's chief executive notice about the eviction. After doing so, the marshal must use reasonable efforts, at least 24 hours before the eviction date and time, to locate and notify the defendant about the eviction.

**Eviction Execution Form.** By law, the Judicial Department must prescribe the eviction execution form, which must be in clear and simple language and in a readable format and must contain a specified conspicuous notice in large boldface type.

Under current law, the execution form must include:

- 1. notice that a person who claims to have a right to continue to occupy the premises should immediately contact an attorney and
- 2. clear instructions on how and where the defendant may reclaim any possessions and personal effects removed and stored according to this law, including a telephone number that may be called to arrange release of the possessions and personal effects.

The bill requires the form to also state that any person who remains at the property after the time of the eviction as listed on the execution when a state marshal returns for the eviction removal and fails to vacate when told to do so may be subject to arrest for 1st degree criminal trespass. (By law, 1st degree criminal trespass is a class A misdemeanor, punishable by a fine up to \$2,000, up to 364 days in prison, or both.)

# Execution of Ejectment in Foreclosures (§ 20)

Generally, in a foreclosure action, the plaintiff may demand possession of the property. The court may issue an execution of ejectment, commanding an officer to eject the person or persons in possession of the property at least five business days after the service date of the execution. The officer must eject the person or persons in possession and may move their possessions and personal effects to the storage place designated by the town's chief executive officer (CGS § 49-22(a)).

*Ejectment Notice to the Town's Chief Executive.* Under current law, before any removal the marshal must give the town's chief executive 24 hours' notice about the ejectment, but at least five business days before doing so, the state marshal must use reasonable efforts to locate and notify the person or persons about the ejectment (date, time, and possibility of sale).

The bill instead requires the marshal, at least five days before the ejectment, to use reasonable efforts to locate and notify the person or persons about the ejectment (date, time, and possibility of sale). But the marshal must give the town's chief executive notice about the ejectment before the removal.

**Ejectment Form.** Under current law, the notice about the ejectment must have clear instructions on how and where the person or persons may reclaim any possessions and personal effects removed and stored under this law, including a telephone number they may call to arrange the release of their possessions and personal effects.

The bill requires the judicial branch to prescribe a form for the ejectment notice, in clear and simple language and in readable format, containing, in addition to other notices on the ejectment order, a conspicuous notice, in large boldface type, of the instructions provided under current law (above) and a notice that any person bound by the ejectment order who remains at the property after the time of the removal as listed on the ejectment order when a state marshal returns for the ejectment and fails to vacate when told to do so may be subject to arrest for 1st degree criminal trespass.

# 21 & 22 — STATE MARSHALS' MILEAGE REIMBURSEMENT RATE

Subjects the DAS-based mileage reimbursement rate that officers receive for serving process to adjustments within 30 days after any revisions of the federal GSA mileage reimbursement rate

Under existing law, each officer who serves process must receive, for each mile of travel, the same amount per mile as provided for state employees at the rate set by the Department of Administrative Services (DAS). The bill subjects this rate to adjustments within 30 days after any revision of the federal General Services Administration (GSA) mileage reimbursement rate.

The law, unchanged by the bill, establishes how the miles must be computed for reimbursement in various circumstances. The bill also makes conforming changes on service of process made under applications for civil protection orders.

## § 23 — PROCESS DIRECTED TO A STATE MARSHAL

Makes corresponding changes in the law on how process must be directed to a state marshal to reflect who can use the bill's new electronic format

The bill establishes (1) how process must be delivered to a state marshal depending on who is directing the process and (2) who can use the bill's new electronic format.

## By an Attorney-at-Law or Public Agency

Under the bill, an attorney-at-law or public agency must deliver process to a state marshal by either (1) providing the original process printed on paper and personally signed in ink by the issuing authority, along with sufficient copies for the state marshal to effectuate service, except that in matters where the process to be served has been issued by or filed with the Judicial Department before delivery to a state marshal, the original process delivered to the state marshal may be a printed copy of the process as filed with the Judicial Department, or (2) transmitting the process to a state marshal electronically according to the bill's new process described above (see § 13 above).

## By Parties Other Than an Attorney-at-Law or Public Agency

Process directed to a state marshal by all other parties including selfrepresented parties, which are returnable to a court, agency, board, or tribunal located in the state and established by state law or a special act, generally must be delivered to the state marshal by providing the original process printed on paper and personally signed in ink by the issuing authority, along with sufficient copies for the state marshal to effectuate service. For matters where the process to be served is on file with the Judicial Department before delivery to a state marshal, the original process delivered to the state marshal may be a printed copy of the process as filed with the Judicial Department. Process cannot be transmitted electronically in these cases.

# Process From a Court or Public Agency Outside of Connecticut

Under the bill, process directed to a state marshal originating from a court or public agency outside of the state, which is established under a law other than Connecticut law, may be transmitted to a state marshal electronically under the bill's new format (see § 13 above).

## State Marshal's Charge for Producing Copies

If sufficient copies of the documents to be served have not been given to a state marshal to effectuate service, the bill allows the state marshal to charge a fee to produce actual copies as needed to complete service of process. The state marshal must charge the fees established under the new electronic format (see § 13), subject to the exclusions, as if the process were transmitted electronically.

# §§ 24 & 25 — SUBPOENAS FOR WITNESSES AND COMMENCEMENT OF CIVIL PROCESS

Specifically requires a Superior Court commissioner to sign subpoenas for witnesses and writs for civil actions personally in ink by hand; allows judges, clerks, and authorized employees to do so by hand; authorizes the chief court administrator to prescribe an alternative for subpoenas and writs involving court employees

## Subpoenas for Witnesses (§ 24)

Under current law, subpoenas for witnesses must be signed by the clerk of the court or a commissioner of the Superior Court.

The bill specifies that subpoenas for witnesses (1) must be personally signed by a commissioner of the Superior Court in ink by hand or (2) may be signed by the clerk of the court or an authorized court employee by hand.

The bill further authorizes the chief court administrator to prescribe an alternative way to sign subpoenas for witnesses involving judicial branch employees.

Under existing law, unchanged by the bill, subpoenas for witnesses must be served by an officer, indifferent person or, in any criminal case in which a defendant is represented by a public defender or Division of Public Defender Services assigned counsel, by an investigator of the Division of Public Defender Services.

# Commencement of Civil Process (§ 25)

By law, civil actions must begin by serving legal process consisting of a writ of summons or attachment describing the (1) parties, (2) court to which it is returnable, (3) return day, (4) date and place for filing an appearance, and (5) information required by the Office of the Chief Court Administrator. It must be accompanied by the plaintiff's complaint and may be delivered in any judicial district.

Under current law, the writ must be signed by a commissioner of the Superior Court or a judge or clerk of the court to which it is returnable. The bill instead requires a Superior Court commissioner to personally sign the writ in ink by hand. Under the bill, the writ may also be signed by a judge or court clerk by hand. The bill no longer requires that the judge or clerk signing the writ must be from the court to which it is returnable.

The bill further allows (1) an authorized court employee to sign a writ by hand and (2) the chief court administrator to prescribe an alternative way to sign writs involving judicial branch employees.

# § 26 — REPEALER

*Repeals an obsolete provision that previously allowed high sheriffs to apply for appointment as a state marshal* 

The bill repeals an obsolete provision that previously allowed high sheriffs to apply for appointment as a state marshal.

# **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 41 Nay 0 (04/07/2025)