

1 S.298

2 Introduced by Senator Collins

3 Referred to Committee on

4 Date:

5 Subject: Court procedure; ejectment; writ of possession

6 Statement of purpose of bill as introduced: This bill proposes to allow any law
7 enforcement officer to serve a writ of possession.

8 An act relating to writs of possession

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 12 V.S.A. § 4854 is amended to read:

11 § 4854. JUDGMENT FOR PLAINTIFF; WRIT OF POSSESSION

12 If the court finds that the plaintiff is entitled to possession of the premises,
13 the plaintiff shall have judgment for possession and rents due, damages and
14 costs, and when a written rental agreement so provides, the court may award
15 reasonable attorney's fees. A writ of possession shall issue on the date
16 judgment is entered, unless the court for good cause orders a stay. The writ
17 shall direct ~~the sheriff of the county in which the property or a portion thereof~~
18 is located a law enforcement officer to serve the writ upon the defendant as
19 directed by Vermont Rule of Civil Procedure 77(d) and, notwithstanding

1 Vermont Rule of Civil Procedure 6(a), no sooner than ~~ten~~ five days after the
2 writ is served, to put the plaintiff into possession.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2014.