1	S.78
2	Introduced by Senator White
3	Referred to Committee on
4	Date:
5	Subject: Finance; fees and costs; service of civil process; constables
6	Statement of purpose of bill as introduced: This bill proposes to require a
7	constable to remit quarterly 15 percent of the civil process fees he or she
8	receives to the State Treasurer for deposit into the General Fund, and to
9	monthly report to the selectboard regarding his or her service of civil process.
10	An act relating to the fees constables collect for the service of civil process
11	It is hereby enacted by the General Assembly of the State of Vermont:
12	Sec. 1. 32 V.S.A. § 1591 is amended to read:
13	§ 1591. SHERIFFS AND OTHER OFFICERS
14	There shall be paid to sheriffs' departments and constables in civil causes
15	and to sheriffs, deputy sheriffs, and constables for the transportation and care
16	of prisoners, juveniles, and patients with a mental condition or psychiatric
17	disability the following fees:
18	(1) Civil process:
19	* * *

(C)(i) All civil process to be served by a sheriff or deputy sheriff
shall be directed to their respective sheriff's department for service. The
sheriff shall assign civil process to personnel within the department to ensure
that process is completed in a timely and orderly manner. All payments for
service of civil process shall be made to the sheriff's department. A sheriff or
deputy sheriff shall not be entitled to fees paid for service of process nor shall a
sheriff receive fees or payment in lieu of fees for civil process, except payment
for actual and necessary expenses. A sheriff may appoint deputy sheriffs and
establish compensation for service of civil process.
(D)(ii) The Executive Director of the Department of State's
Attorneys and Sheriffs shall develop a uniform reporting system to reflect:
(i)(I) Civil civil process received by a sheriff's department;
(ii)(II) Payments payments made to a sheriff's department for
service, including fees and reimbursements;
(iii)(III) Payments payments made by the sheriff's department to
deputy sheriffs for serving process; and
(iv)(IV) Disbursements disbursements for other necessary
expenses.
(E)(iii) Quarterly, 15 percent of the gross civil process fees received
by a sheriff's department during that quarter shall be forwarded to the State
Treasurer for deposit in the State's General Fund.

1	(D)(i) A constable shall be entitled to fees paid for service of civil
2	process, except as provided in subdivision (ii) of this subdivision (D). A
3	constable shall not receive fees or payment in lieu of fees for civil process,
4	except payment for actual and necessary expenses.
5	(ii) Quarterly, a constable shall forward 15 percent of the gross
6	civil process fees he or she received during that quarter to the State Treasurer
7	for deposit in the State's General Fund.
8	(iii) On or before the first of each month, a constable shall file a
9	report with the selectboard stating, as applicable:
10	(I) each civil process that the constable served in the preceding
11	month and the amount paid to him or her for that service of process; or
12	(II) that the constable did not serve any civil process in the
13	preceding month.
14	* * *
15	Sec. 2. EFFECTIVE DATE
16	This act shall take effect on July 1, 2017.