

1 H.21

2 Introduced by Representative Dolan of Essex Junction

3 Referred to Committee on

4 Date:

5 Subject: Court procedure; ejectment; writs of possession; service

6 Statement of purpose of bill as introduced: This bill proposes to permit a writ
7 of possession to be served by a sheriff of a county other than the county in
8 which the property is located.

9 An act relating to service of writs of possession

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

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

12 § 4854. JUDGMENT FOR PLAINTIFF; WRIT OF POSSESSION

13 If the court finds that the plaintiff is entitled to possession of the premises,
14 the plaintiff shall have judgment for possession and rents due, damages, and
15 costs, and when a written rental agreement so provides, the court may award
16 reasonable attorney's fees. A writ of possession shall issue on the date
17 judgment is entered, unless the court for good cause orders a stay. The writ
18 shall direct the sheriff of the county in which the property or a portion thereof
19 is located, ~~or the sheriff of any other county,~~ to serve the writ upon the

1 ~~defendant and, not earlier than 14 days after the writ is served, to put the~~
2 plaintiff into possession.

3 Sec. 2. EFFECTIVE DATE

4 ~~This act shall take effect on passage.~~

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

§ 4854. JUDGMENT FOR PLAINTIFF; WRIT OF POSSESSION

If the court finds that the plaintiff is entitled to possession of the premises, the plaintiff shall have judgment for possession and rents due, damages, and costs, and when a written rental agreement so provides, the court may award reasonable attorney's fees. A writ of possession shall issue on the date judgment is entered, unless the court for good cause orders a stay. The writ shall direct the any sheriff of the county in which the property or a portion thereof is located to serve the writ upon the defendant and, not earlier than 14 days after the writ is served, to put the plaintiff into possession.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.