



Substitute Senate Bill No. 291

Public Act No. 26-80

AN ACT CONCERNING THE RESPONSIBILITIES AND DUTIES OF THE STATE MARSHAL COMMISSION, THE STATE MARSHALS ADVISORY BOARD AND STATE MARSHALS.

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

Section 1. Section 6-38b of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) There is established a State Marshal Commission [which] to oversee the state marshal system. The functions of the commission shall include, but not be limited to, promoting a professional and effective state marshal system to provide competent service of process and execution throughout the counties of the state; establishing and applying appropriate standards of conduct and competence; recruiting, vetting and appointing qualified and suitable individuals to serve as state marshals; establishing and overseeing appropriate training and continuing education, within available appropriations; supporting and administering such operational, administrative and programmatic systems related to state marshals; and taking such actions as are necessary to maintain the proper and efficient administration of the state marshal system. The commission shall consist of eight members appointed as follows: (1) The Chief Justice shall appoint one member

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who shall be a judge of the Superior Court; (2) the speaker of the House of Representatives, the president pro tempore of the Senate, the majority and minority leaders of the House of Representatives and the majority and minority leaders of the Senate shall each appoint one member; and (3) the Governor shall appoint one member who shall serve as chairperson. Of the seven members appointed pursuant to subdivisions (2) and (3) of this subsection, no more than four of such members may be members of any state bar. No member of the commission shall be a state marshal, except that two state marshals appointed by the State Marshals Advisory Board in accordance with section 6-38c, as amended by this act, shall serve as ex-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.

(e) A majority of the membership of the commission shall constitute a quorum. The affirmative vote of at least a majority of the members of the commission present and voting shall be required for any action by the commission, and no action of the commission may pass by a tie vote.

(f) The commission shall develop and maintain materials for the purpose of the orientation of new members of the commission. Such materials shall be consistent with the provisions of this section and

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provide a summary and overview of the role and authority of the State Marshal Commission and the process for the appointment of state marshals. The commission shall coordinate with the State Marshals Advisory Board to provide opportunities for new members of the commission to observe the performance of actual service of process, evictions and the restraining order duty of state marshals.

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

[(f)] (h) The commission shall be responsible for the equitable assignment of service of restraining orders and civil protection orders to the state marshals in each county and ensure that such restraining orders and civil protection orders are served expeditiously. Failure of any state marshal to accept for service any restraining order or civil protection order assigned by the commission or to serve such restraining order or civil protection order expeditiously without good cause shall be sufficient for the convening of a hearing for removal under subsection [(i)] (l) of this section.

[(g)] (i) Any vacancy in the position of state marshal in any county as provided in section 6-38 shall be filled by the commission with an applicant (1) who shall be an elector in the county where such vacancy

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occurs, [and] (2) whose permanent place of abode, domicile and residence is in the county where such vacancy occurs, and (3) who is not otherwise disqualified under any of the conditions contained in section 7-291c or subsection (c) of section 29-161h. The commission may give preference to applicants who are able to serve on a full-time basis, or who demonstrate good-faith intent and ability to transition to service on a full-time basis within a reasonable period after appointment. For purposes of this subsection, "full-time basis" means the ability to be regularly and consistently available on weekdays during court hours to perform service of process and executions, and other statutory duties of a state marshal. Any applicant for such vacancy shall be subject to the application, examination, bonding, [and] investigation, interview and training requirements of the commission.

(j) (1) Before commencing an examination or recruitment process to make new appointments of state marshals, the commission shall consult with the State Marshals Advisory Board regarding the need for additional state marshals in the various counties. The commission shall establish, prior to such examination or recruitment, the number of state marshals to be appointed in each county during such recruitment process, which may be adjusted to account for additional vacancies created by resignation or retirement of current marshals during such recruitment process. Such number established by the commission shall be voted on and recorded in the minutes of a commission meeting.

(2) The commission shall establish interview committees for the purpose of interviewing the most suitable candidates for appointment. Any interview committee established under this subdivision may include a member who is a state marshal. The interview committee shall conduct interviews of such candidates. The interview committee shall review the applications, examination results and investigation materials of candidates to be interviewed for appointment as a state marshal. Such interview committees shall report their recommendations to the full

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commission.

(3) The commission shall approve candidates to enter training prior to appointment. The commission shall provide one state-wide training program for such candidates. The training program shall include in-person classroom instruction and supervised field instruction. Classroom instruction shall be developed and conducted by a qualified vendor approved by the commission. Field instruction shall be conducted by experienced state marshals approved by the commission. The training program shall be comprehensive and shall cover subjects relating to the statutory duties and responsibilities of state marshals.

(4) Candidates approved for appointment by the commission shall be sworn into office at a public ceremony on a date determined by the commission.

[(h)] (k) Except as provided in section 6-38f, as amended by this act, 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)] (l) No state marshal may be removed except by order of the commission for cause after due notice and hearing.

[(j)] (m) The commission, in consultation with the Judicial Department, shall adopt rules as it deems necessary for conduct of its internal affairs, including, but not limited to, rules that provide for: (1) The provision of timely, consistent and reliable access to a state marshal for persons applying for a restraining order or civil protection order under chapter 815a; (2) the provision of services to persons with limited English proficiency; (3) the provision of services to persons who are deaf or hard of hearing; (4) service of process that is a photographic copy, micrographic copy or other electronic image of an original document

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that clearly and accurately copies such original document, as provided in section 52-50a; and (5) timely payment, as described in section 4a-71, from the Judicial Department to state marshals.

[(k)] (n) 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.

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

(p) Not later than January 1, 2027, and annually thereafter, the State Marshal Commission shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary. Such report shall address and include the following: (1) State marshal workforce and turnover data, including the number of state marshals who resigned, retired or died in office during the preceding period, and the number on voluntary inactive status and the duration of such status; (2) the number of state marshals in each county and age distribution by county; (3) state marshal recruitment and appointment information, including the commission's recruitment plan, the number of applicants, the number who passed or failed an examination administered in the preceding period and demographics of any appointments made in each county; (4) the proportion of state marshals

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serving on a full-time basis, as defined in subsection (i) of this section, versus those state marshals not serving on a full-time basis; (5) training and professional development information, including summaries of the training programs for new and current state marshals and any material changes made in the preceding period; and (6) a summary of any policies, rules or directives adopted or modified by the commission during the preceding period.

[(m)] (q) The commission shall be within the Department of Administrative Services [, provided] for administrative purposes only and the commission shall have independent decision-making authority.

(r) Nothing in this section shall be construed to limit the authority or responsibility of the commission to take actions necessary to implement the provisions of this section.

Sec. 2. Section 6-38c of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) There is established a State Marshals Advisory Board which shall consist of twenty-four state marshals to advise and make recommendations to the State Marshal Commission and to consider matters referred to it from the commission. Annually, between November first and November twentieth of each year, the state marshals in each county shall elect from among the state marshals in their county the following number of state marshals to serve on the board: Hartford, New Haven and Fairfield counties, four state marshals; New London and Litchfield counties, three state marshals; and Tolland, Middlesex and Windham counties, two state marshals. State marshals elected to serve on the board shall serve for a term of one year and may be reelected. The State Marshals Advisory Board shall be the judge of the county elections, returns and qualifications of its own members.

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(b) The State Marshals Advisory Board shall adopt rules as the board deems necessary for the conduct of [its] elections and internal affairs, which rules shall continue in effect from year to year, as amended from time to time. Such rules shall include procedures for (1) the administration of county elections, and (2) the selection of a chairperson and other officers, as may be necessary, from the members of the board elected pursuant to subsection (a) of this section.

(c) Annually, in the month of December, the State Marshals Advisory Board shall hold a meeting and select two state marshals to be appointed as ex-officio members of the State Marshal Commission, in accordance with the provisions of section 6-38b, as amended by this act, for a term of one year or until a successor is appointed and has qualified. If any vacancy occurs in such appointments, the State Marshals Advisory Board shall appoint a state marshal to fill the remainder of the unexpired term.

Sec. 3. Section 52-261 of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) Except as provided in subsection (b) of this section and section 52-261a, each officer or person who serves process, summons or attachments on behalf of: (1) An official of the state or any of its agencies, boards or commissions, or any municipal official acting in his or her official capacity, shall receive a fee of not more than fifty dollars for each process served and an additional fee of fifty dollars for the second and each subsequent service of such process, 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 or for notification of the office of the Attorney General in dissolution and postjudgment proceedings if a party or child is receiving public assistance; and (2) any person, except a person described in subdivision (1) of this subsection, shall receive a fee of not more than fifty dollars for

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each process served and an additional fee of fifty dollars for the second and each subsequent service of such process, 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 or for notification of the office of the Attorney General in dissolution and postjudgment proceedings if a party or child is receiving public assistance. Each such officer or person shall also receive the fee set by the Department of Administrative Services for state employees for each mile of travel, subject to adjustment within thirty days of any revision to the federal General Services Administration mileage reimbursement rate, to be computed from the place where such officer or person received the process to the place of service, and thence in the case of civil process to the place of return. If more than one process is served on one person at one time by any such officer or person, the total cost of travel for the service shall be the same as for the service of one process only, except, if an officer or person is requested by the court or required by law to effectuate in-hand personal service, or for service pursuant to subsection (h) of section 46b-15 or subsection (d) of section 46b-16a, such officer or person shall receive the fee set by the Department of Administrative Services for state employees for each mile of travel, subject to adjustment within thirty days of any revision to the federal General Services Administration mileage reimbursement rate, of each round trip traveled while attempting to effectuate in-hand personal service, to be computed from the place where the process was received to the place of attempted service, and if multiple trips to effectuate service are made, 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 to the place of return provided the officer or person shall state in the return of service that in-hand personal service was requested or required, or that in-hand service was made pursuant to subsection (h) of section 46b-15 or subsection (d) of section 46b-16a, and that multiple trips were necessary to effectuate in-hand personal service. The officer or person requesting the receipt of such round trip travel shall

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make out a bill reciting the dates, times and results of each trip the officer or person traveled while attempting to effectuate in-hand personal service. The officer or person requesting the receipt of such fees for attempted round trip travel may only receive such fees from the Judicial Department when ordered by the court or by law to effectuate in-hand personal service and only when such in-hand personal service is effectuated, when in-hand personal service of process is made pursuant to subsection (h) of section 46b-15 or subsection (d) of section 46b-16a. Such payment from the Judicial Department of attempted round trip travel for in-hand service of process may be limited to three round trips, provided nothing in this section shall limit payment of a greater amount from the Judicial Department to an officer or person serving process. For service made pursuant to subsection (h) of section 46b-15 and subsection (d) of section 46b-16a, which was not effectuated in-hand, regardless of any attempts to effectuate service in-hand, the mileage fee shall be from the place where the process was received to the place of service, and thence in the case of civil process to 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) of section 46b-16a, for purposes of calculating the mileage fee for multiple trips, such extra time will be considered a continuation of the original attempts at service. Each officer or person who serves process shall also receive the moneys actually paid for town clerk's fees on the service of process. Each officer or person who serves process shall also receive the moneys actually paid for fees for the disclosure or search of records of the Department of Motor Vehicles in connection with the service of process. 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. For summoning any juror to attend court otherwise than by personal service of the warrant, such officer or person shall receive only the sum

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of fifty cents and actual disbursements necessarily expended by such officer or person in making service thereof as directed. Notwithstanding the provisions of this section, for summoning grand jurors, such officer or person shall receive only such officer's or person's actual expenses and such reasonable sum for services as are taxed by the court. The following fees shall be allowed and paid: (A) For taking bail or bail bond, one dollar; (B) for copies of writs and complaints, exclusive of endorsements, one dollar per page, not to exceed a total amount of nine hundred dollars in any particular matter; (C) for endorsements, fifty cents per page or fraction thereof; (D) for service of a warrant for the seizure of intoxicating liquors, or for posting and leaving notices after the seizure, or for the destruction or delivery of any such liquors under order of court, twenty dollars; (E) for the removal and custody of such liquors so seized, reasonable expenses, and twenty dollars; (F) for the levy of an execution, when the money is actually collected and paid over, or the debt or a portion of the debt is secured by the officer, fifteen per cent on the amount of the execution or portion thereof, provided the minimum fee for such execution shall be fifty dollars; (G) on the levy of an execution on real property and on application for sale of personal property attached, to each appraiser, for each half day of actual service, reasonable and customary expenses; (H) for causing an execution levied on real property to be recorded, fees for travel, twenty dollars and costs; (I) for services on an application for the sale of personal property attached, or in selling mortgaged property foreclosed under a decree of court, the same fees as for similar services on executions; (J) for committing any person to a community correctional center, in civil actions, the fee set by the Department of Administrative Services for state employees for each mile of travel, from the place of the court to the community correctional 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 which the recording fee is not otherwise prescribed by law, fifty dollars, costs and the fee set by the Department of Administrative Services for state employees for each mile of travel;

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and (M) for postage or international mailing costs incurred pursuant to a court order, actual expenses. The court shall tax as costs a reasonable amount for the care of property held by any officer under attachment or execution. The 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.

(b) Each officer or person shall receive the following fees: (1) For service and scheduling of an execution on a summary process judgment, or a foreclosure ejectment, not more than one hundred fifty dollars and the fee set by the Department of Administrative Services for state employees for each mile of travel; (2) for removal under section 47a-42 of a defendant or other occupant bound by a summary process judgment, and the possessions and personal effects of such defendant or other occupant, not more than one hundred fifty dollars per hour and the fee set by the Department of Administrative Services for state employees for each mile of travel; (3) for removal and taking of an inventory of possessions and personal effects of a defendant or other occupant bound by a summary process judgment under section 47a-42a, not more than one hundred fifty dollars per hour and the fee set by the Department of Administrative Services for state employees for each mile of travel; (4) for removal under section 49-22 of a defendant or other occupant bound by a foreclosure judgment, and the possessions and personal effects of such defendant or other occupant, not more than one hundred fifty dollars per hour and the fee set by the Department of Administrative Services for state employees for each mile of travel; and (5) for any execution or ejectment, the officer or person serving such execution or ejectment may claim compensation for time and expenses of any mover, locksmith or any other individual, in keeping, securing or

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removing property and the transportation incidental to such execution [of] or ejectment, provided such officer or person 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.

Sec. 4. Section 6-38d of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

No state marshal shall (1) knowingly bill for, or receive fees for, work that such state marshal did not actually perform, (2) allow another 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 section without good cause shall be sufficient for the convening of a commission hearing concerning removal of the state marshal under subsection [(i)] (l) of section 6-38b, as amended by this act.

Sec. 5. Subsection (c) of section 6-38f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(c) Except as provided in subsection (a) of this section, for purposes of the State Marshal Commission filling any vacancy in the position of state marshal in any county in accordance with subsection [(g)] (i) of section 6-38b, as amended by this act, the State Marshal Commission shall not fill a vacancy in any county if the total number of state marshals in such county is equal to or exceeds the number allowed under section 6-38.

Governor's Action:
Approved May 26, 2026