

CHAPTER 104
SB 77-FN - FINAL VERSION

3Jun2021... 1363h

2021 SESSION

21-0841
08/04

SENATE BILL ***77-FN***

AN ACT relative to fees for the services of sheriffs and deputy sheriffs.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Watters, Dist 4; Sen. Bradley, Dist 3

COMMITTEE: Finance

ANALYSIS

This bill increases fees for certain services of sheriffs and deputy sheriffs.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to fees for the services of sheriffs and deputy sheriffs.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 104:1 Fees of Sheriffs and Deputy Sheriffs. Amend RSA 104:31, I-IX-b to read as follows:

2 I. For service of every writ, except as otherwise specifically provided, [~~\$25~~] **\$30**; for every
3 service of a writ of possession, [~~\$25~~] **\$30**; for service of every demand for rent, eviction notice, small
4 claims notice, process, and notice of execution, [~~\$25~~] **\$30**; and for service of every subpoena, [~~\$25~~]
5 **\$30**.

6 II. For service of a bill, libel or petition, [~~\$25~~] **\$30**; provided that service of a petition with
7 restraining order shall be [~~\$30~~] **\$36**.

8 III. For making an attachment of personal property or making a bulky attachment, [~~\$25~~]
9 **\$30**.

10 IV. In every county for actual travel to serve any writ, notice, subpoena, process, or
11 execution, to be reckoned from the place of service to the sheriff's office or substation, and for travel
12 to attend any court by the order thereof, to be reckoned from the sheriff's office or substation to the
13 court, each mile, each way, at the current federal rate. ***Mileage shall be paid only once when***
14 ***service requested by the same party on multiple individuals related to the same case or***
15 ***matter living at the same address, building, or complex can be reasonably made on the***
16 ***same trip.***

17 V. For levying executions, or sheriff sales or both, on the dollar, for the first \$100 levied,
18 [~~\$.04~~] **\$.05**; for all above \$100, and not exceeding \$500, [~~\$.03~~] **\$.04**; for all above \$500, and not
19 exceeding \$1,000, [~~\$.02~~] **\$.03**; for all above \$1,000, [~~\$.01~~] **\$.02**; minimum fee, [~~\$10~~] **\$12**.

20 VI. For making copies of writs, each ***page***, \$1; for postage and handling of writs, each, [~~\$1~~] **a**
21 ***minimum charge of \$1 with a maximum not to exceed United States Postal Service rates.***

22 VII. For leaving the copy and return required in the attachment of real estate at the office or
23 the dwelling house of a register of deeds, [~~\$25~~] **\$30**.

24 VIII. For every service of a writ of attachment with a petition or writ of summons with a
25 petition, [~~\$30~~] **\$36**; for every service of a writ of replevin, [~~\$25~~] **\$30**; for every non est return, [~~\$10~~]
26 **\$12**.

27 IX. For making a search, for taking an inventory, for conducting a sale or for waiting time,
28 [~~\$25~~] **\$30** per hour ***for the first hour, additional time charged for 30 minute increments at***
29 ***\$15*** in addition to any other fees specified in this section.

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1 IX-a. For service of a civil order of arrest, ~~[\$25]~~ **\$30** to be charged to the defendant unless
2 the defendant, upon motion, shows the court good cause for failure to appear.

3 IX-b. With the exception of civil orders of arrest under paragraph IX-a, for service whenever
4 in-hand service is required by court order or court rule, an additional ~~[\$25]~~ **\$30**.

5 104:2 New Paragraph; Fees of Sheriffs and Deputy Sheriffs. Amend RSA 104:31 by inserting
6 after paragraph XI the following new paragraph:

7 XII. The fees of sheriffs and deputy sheriffs specified in paragraphs I through IV and
8 paragraphs VII through IX-b may be increased once annually by a vote of the county convention and
9 the total increase shall not exceed the Consumer Price Index for All Urban Consumers, Northeast
10 Region as published by the Bureau of Labor Statistics, United States Department of Labor using the
11 amount published for the month of June in the year prior to the start of the fiscal year on a
12 percentage basis.

13 104:3 Effective Date.

14 I. Section 2 shall take effect 60 days after passage.

15 II. The remainder of this act shall take effect July 1, 2021.

Approved: July 01, 2021

Effective Date:

I. Section 2 shall take effect August 30, 2021.

II. Remainder shall take effect July 1, 2021

