

HOUSE No. 3823

The Commonwealth of Massachusetts

PRESENTED BY:

Kristin E. Kassner and Kenneth I. Gordon

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to travel mileage rate fees for sheriffs, deputy sheriffs and constables.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kristin E. Kassner</i>	<i>2nd Essex</i>	<i>2/28/2023</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>3/2/2023</i>
<i>Jeffrey Rosario Turco</i>	<i>19th Suffolk</i>	<i>3/22/2023</i>

HOUSE No. 3823

By Representatives Kassner of Hamilton and Gordon of Bedford, a petition (subject to Joint Rule 12) of Kristin E. Kassner, Kenneth I. Gordon and Jeffrey Rosario Turco relative to travel mileage rate fees for sheriffs, deputy sheriffs and constables. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to travel mileage rate fees for sheriffs, deputy sheriffs and constables.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 8 of chapter 262 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out subsection (6) and inserting in place thereof
3 the following:-

4 for an attachment on mesne process of land or of any leasehold estate, \$20 for each
5 defendant against whom an attachment is made, 65.5 cents a mile each way for travel from the
6 place of service to the registry, and his fee for the copy deposited in the registry of deeds or land
7 court, together with the recording fees actually paid;

8 SECTION 2. Section 8 of chapter 262 of the General Laws, is hereby amended by
9 striking out subsection (vi) of subsection (9) and inserting in place thereof the following:-

10 for travel, 65.5 cents a mile each way from the place where he receives the execution to
11 the office of the register of deeds, and his fee for the copy;

12 SECTION 3. Section 8 of chapter 262 of the General Laws, is hereby amended by
13 striking out subsection (19) and inserting in place thereof the following:-

14 for travel in the service of original writs, executions, warrants, summonses, subpoenas,
15 notices and other processes, 65.5 cents a mile each way, to be computed from the place of
16 service to the court or place of return; and if the same precept, or process is served upon more
17 than 1 person, the travel shall be computed from the most remote place of service, with such
18 further travel as was necessary in serving it; if the distance from the place of service to the place
19 of return exceeds 20 but does not exceed 50 miles, 65.5 cents a mile 1 way only shall be allowed
20 for all travel exceeding 20 miles and, if it exceeds 50 miles, only 15 cents a mile 1 way shall be
21 allowed for all travel exceeding that distance;

22 SECTION 4. Section 8 of chapter 262 of the General Laws, is hereby amended by
23 striking out subsection (20) and inserting in place thereof the following:-

24 for travel in the service of venires and notices to jurors, 65.5 cents a mile for the distance
25 actually traveled;

26 SECTION 5. Section 8 of chapter 262 of the General Laws, is hereby amended by
27 striking out subsection (21) and inserting in place thereof the following:-

28 for posting warrants, for notifying town meetings or for other purposes, \$5 for each copy
29 posted together with 65.5 cents a mile for the distance actually traveled;

30 SECTION 6. Section 8 of chapter 262 of the General Laws, is hereby amended by
31 striking out subsection (3) of subsection (21) and inserting in place thereof the following:-

32 for service of a witness, summons, or subpoena in criminal cases, \$20 plus travel in the
33 amount of 65.5 cents a mile each way for a distance of not more than 20 miles, and for any
34 excess over 20 miles, 15 cents a mile each way, and no more. The distance shall be computed
35 from the most remote place of service to the place of return, but upon a subpoena, the court shall
36 reduce the fee for travel to a reasonable amount for the service performed if the travel charged
37 has not been actually performed by the officer who made the service; and