

STATE OF CONNECTICUT

BY HIS EXCELLENCY

DANNEL P. MALLOY

CONNECTICUT  
SECRETARY OF THE STATE  
CAPITOL OFFICE

2016 MAY 31 P 4: 23

**EXECUTIVE ORDER NO. 54**

**WHEREAS**, the Attorney General opined in 2009 that state marshals cannot charge fees for recordings in the absence of any statutory authority for such a fee (Conn. Atty. Gen. Op. No. 2009-009, 2009 WL 3059049);

**WHEREAS**, many state marshals and others make a living by collecting fees for serving legal documents and the provision of fees to them and others is appropriate;

**WHEREAS**, Public Act 16-64 allows payment of a "reasonable fee" for any recording for which the recording fee is not otherwise prescribed by law;

**WHEREAS**, Public Act 16-64 does not provide any guidance on what a "reasonable fee" is, or who is appropriately situated to make such a determination;

**WHEREAS**, Section 52-261(a)(2)(H) of the Connecticut General Statutes provides, "The following fees shall be allowed and paid: . . . ;(H) for causing an execution levied on real property to be recorded, fees for travel, twenty dollars and costs;" and

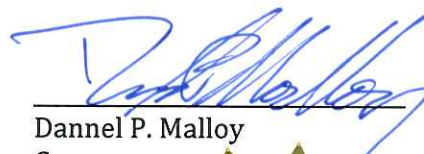
**WHEREAS**, actions taken to record documents are equivalent to causing an execution levied on real property to be recorded.

**NOW, THEREFORE**, I, DANNEL P. MALLOY, Governor of the State of Connecticut, by virtue of the power and authority vested in me by the Constitution and by the Statutes of the State of Connecticut do hereby **ORDER AND DIRECT**:

1. That "a reasonable fee" for any "recording for which the recording fee is not otherwise prescribed by law," as described in PA 16-64, shall be construed to mean no more than twenty dollars; and
2. Each such officer or person making such recording shall also receive the fee set by the Department of Administrative Services for state employees for each mile of travel, to be computed from the place where such officer or person receives the recording to the place it shall be recorded.

This Order shall take effect immediately.

Dated at Hartford, Connecticut this 31<sup>st</sup> day of May, 2016.

  
Dannel P. Malloy  
Governor

By His Excellency's Order



Denise W. Merrill  
Secretary of the State

