

2026 -- H 8433

LC006301

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --
WRITS, SUMMONS AND PROCESS

Introduced By: Representative Arthur J. Corvese

Date Introduced: April 10, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 9-5 of the General Laws entitled "Writs, Summons and Process" is
2 hereby amended by adding thereto the following section:

3 **9-5-10.7. Service of process.**

4 All writs, executions, and summonses for process shall be directed for service to the
5 division of sheriffs, or to a certified constable authorized pursuant to § 9-5-10.1. No other individual
6 shall be authorized to serve any writ, execution or summons for process within the state.

7 SECTION 2. Sections 9-5-6, 9-5-7 and 9-5-10 of the General Laws in Chapter 9-5 entitled
8 "Writs, Summons and Process" are hereby amended to read as follows:

9 **9-5-6. Writs and process operating throughout state — Officers to whom directed.**

10 All writs, executions, and process shall run throughout the state and shall be directed for
11 service to the division of sheriffs, or to a certified constable, but if any deputy sheriff is a party to
12 the action or suit, the process shall be directed to ~~the town sergeant or~~ a certified constable and may
13 be served by any one of them not a party to the action or suit.

14 **9-5-7. Direction of writs for arrest or execution against the body.**

15 All writs whatsoever commanding the arrest of a defendant, or executions running against
16 the body of a defendant, shall be directed for service to the division of sheriffs or to a certified
17 constable authorized pursuant to § 9-5-10.1, ~~or if the writ is to be served in the town of New~~
18 ~~Shoreham, it may be directed to the town sergeant of the town, subject to the provisions of § 9-5-~~

1 ~~8~~, and no writ of arrest shall be served by any other officer.

2 **9-5-10. Direction and return of district courts writs and summonses.**

3 (a) Writs and summonses issued by a district court shall be made returnable to the court at
4 the place and on the day and hour provided by law, to be named in the writs and summonses, and
5 shall, except as otherwise specifically provided, be directed to the division of sheriffs, ~~or to the~~
6 ~~town sergeants~~, or to a certified constable authorized pursuant to § 9-5-10.1, for in state service. ~~In~~
7 ~~case any person upon whom it is necessary to make service of any writ, summons, or execution~~
8 ~~issued by a district court is, or has estate, in any other county than the one in which the action is~~
9 ~~brought, the writ, summons, or execution may also be directed to and served by the like officer of~~
10 ~~such other county.~~

11 (b) For out-of-state service of writs and summonses issued by a district court, the writ,
12 summons, or execution shall be directed to and served by the sheriff, certified constable, or like
13 officer duly authorized and licensed under that state.

14 SECTION 3. Section 9-5-8 of the General Laws in Chapter 9-5 entitled "Writs, Summons
15 and Process" is hereby repealed.

16 **~~9-5-8. Power of New Shoreham town sergeant — Bond.~~**

17 ~~The town sergeant of the town of New Shoreham is hereby authorized and empowered to~~
18 ~~serve any writ and civil or criminal process in the town of New Shoreham and the waters adjacent~~
19 ~~thereto within the jurisdiction of the state, the ad damnum of which does not exceed one thousand~~
20 ~~dollars (\$1,000), as fully and effectually as a member of the division of sheriffs; provided, that the~~
21 ~~town sergeant of New Shoreham give bond, with two (2) sufficient sureties, to the general treasurer~~
22 ~~in the sum of two thousand dollars (\$2,000). In case any person is injured by the breach of the bond,~~
23 ~~he or she may sue upon the bond in like manner as he or she might do upon a sheriff's bond in a~~
24 ~~like case under the provisions of §§ 42-29-12 and 42-29-13.~~

25 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would restrict service of process of any writs, executions or summonses to the
- 2 division of sheriff or a certified constable authorized pursuant to statutory law.
- 3 This act would take effect upon passage.

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