

2000 SESSION

INTRODUCED

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HOUSE BILL NO. 644

Offered January 20, 2000

A BILL to amend and reenact § 2.1-721 of the Code of Virginia, relating to the Virginia Human Rights Council; issuance of subpoena duces tecum.

Patrons—Davis, Albo, Cox, Hamilton, Ingram, Putney, Reid and Weatherholtz

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-721 of the Code of Virginia is amended and reenacted as follows:

§ 2.1-721. Procedure for issuance of subpoena duces tecum.

Whenever the Council has reasonable cause to believe that any person has engaged in or is engaging in any unlawful discriminatory practice, and the Council, after a good faith effort to obtain the date and information necessary to determine whether a violation has occurred, has been unable to obtain such information, it may request the Attorney General to apply to the judge of the circuit court of the jurisdiction in which the respondent resides or is doing business for a subpoena duces tecum against any person refusing to produce such data and information. The judge of the court, upon good cause shown, may cause the subpoena to be issued. Any person failing to comply with such subpoena shall be subject to punishment for contempt by the court issuing the subpoena. For purposes of this section "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, *employer*, employment agency, labor organization, joint labor-management committee, or an agent thereof.

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