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## HOUSE BILL NO. 2315

House Amendments in [ ] — January 24, 2001

A BILL to amend and reenact § 2.1-127 of the Code of Virginia, relating to settlement of disputes by Attorney General.

Patron Prior to Engrossment—Delegate Jones

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:****1. That § 2.1-127 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-127. Compromise and settlement of disputes.

Except as provided in subsection B of § 23-38.33:1, the Attorney General shall have the authority to compromise and settle disputes, claims and controversies [ ~~arising under the Virginia Tort Claims Act (§ 8.01-195.1 et seq.) or otherwise~~ ] involving [ ~~the all~~ ] interests of the Commonwealth [ ~~including, but not limited to the Virginia Tort Claims Act (§ 8.01-195.1 et seq.)~~ ], and to discharge any such claims, but only after the proposed compromise, settlement or discharge, together with the reasons therefor, have been submitted in writing to the Governor and approved by him. Where any dispute, claim or controversy involves the interests of any department, institution, division, commission, board, authority or bureau of the Commonwealth, the Attorney General shall have authority to compromise and settle or discharge the same provided such action is approved both by the Governor, in the manner above provided, and by the head, *or his designee*, of the department, institution, division, board, authority or bureau ~~which~~ that is interested. However, when any dispute, claim or controversy *arises under the Virginia Tort Claims Act (§ 8.01-195.1 et seq.) or otherwise* involves the interests of any department, institution, division, commission, board, authority or bureau of the Commonwealth, and the amount in dispute does not exceed \$50,000, the Attorney General or an assistant Attorney General assigned to such department, institution, division, commission, board, authority or bureau, *or such other designee of the Attorney General*, shall have the authority to compromise and settle or discharge the same provided such action is approved by the head, *or his designee*, of the department, institution, division, board or bureau whose interests are in issue. When the dispute, claim or controversy involves a case in which the Commonwealth has a claim for sums due it as the result of hospital, medical or dental care furnished by or on behalf of the Commonwealth, the Attorney General or such assistant Attorney General shall have the authority to compromise and settle and discharge the same when the amount in dispute does not exceed \$50,000.

ENGROSSED

HB2315E