

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 7 of Chapter 15 of Title 46.2 a section*
3 *numbered 46.2-1573.01, relating to recovery of certain attorney's fees and costs.*

4 [H 2332]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding in Article 7 of Chapter 15 of Title 46.2 a**
8 **section numbered 46.2-1573.01 as follows:**9 *§ 46.2-1573.01. Recovery of attorney's fees.*

10 *Any party to a proceeding under § 46.2-1573 who is found to have violated any provision of this*
11 *article may be ordered by the circuit court before which an application therefor is pending to pay the*
12 *reasonable attorney's fees and costs incurred by the complaining party, including those attorney's fees*
13 *and costs incurred as a result of any appeal. Following issuance of the Commissioner's case decision*
14 *finding that such violation has occurred, the complaining party may make application to an appropriate*
15 *circuit court for entry of an order awarding it reasonable attorney's fees and costs. Notice of an initial*
16 *application for entry of such order shall be served in the manner provided by law for the service of a*
17 *summons in an action. The court shall take such evidence thereon as it deems necessary. Entry of a*
18 *judgment in conformity with any order awarding such fees and costs shall be stayed pending any appeal*
19 *of such order or pending any appeal of the Commissioner's underlying decision on the merits. Such*
20 *application shall be made within sixty days following the date of the Commissioner's order. Venue for*
21 *the application shall be the circuit court before which any appeal of the Commissioner's decision is*
22 *pending, and the application may be considered concurrently with consideration of the appeal;*
23 *otherwise, venue shall be as provided in § 9-6.14:5.*

REENROLLED

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