

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 234

An Act to amend and reenact §§ 8.01-514 and 16.1-99 of the Code of Virginia, relating to wage garnishments.

[H 1458]

Approved March 16, 2003

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-514 and 16.1-99 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-514. When garnishment summons returnable.

The summons in garnishment shall be returnable to the general district court from which it issued not more than ~~ninety~~ 90 days after the date thereof and to the circuit court from which it issued, not more than ~~ninety~~ 90 days after the date thereof, *except that in the instance of a wage garnishment, the summons shall be returnable not more than 180 days after the date of issuance.* When issued by a district court, such summons may be directed to a sheriff of any county or city wherein the judgment debtor resides or where the garnishment defendant resides or where either may be found and made returnable before the general district court, and shall be made returnable within ~~ninety~~ 90 days at some certain place within such county or city named in such summons.

§ 16.1-99. When and where executions returnable; to whom directed.

A writ of fieri facias or a writ of possession issued from a general district court shall be made returnable within ~~ninety~~ 90 days to the court from which it was issued, *except that a writ of fieri facias issued in the instance of a wage garnishment shall be returnable not more than 180 days after the date of issuance.* If, after the return day of the writ and the completion of any garnishment, interrogatory or other proceeding in connection therewith, the papers in the case have been returned to a circuit court, then the writ and other papers in connection with such proceeding shall likewise be returned to the circuit court and filed with the papers in the case. A writ of fieri facias may be directed to the sheriff of any county or to the sergeant or constable of any corporation.