

2004 SESSION

INTRODUCED

047554232

HOUSE BILL NO. 897

Offered January 14, 2004

Prefiled January 14, 2004

A BILL to amend and reenact § 8.01-420 of the Code of Virginia, relating to the basis for a motion for summary judgment.

Patron—Bell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-420 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-420. Depositions as basis for motion for summary judgment or to strike evidence.

No motion for summary judgment or to strike the evidence shall be sustained when based in whole or in part upon any discovery depositions under Rule 4:5, unless all parties to the suit or action shall agree that such deposition may be so used. *A motion for summary judgment may be based, in whole or in part, upon discovery depositions.*

INTRODUCED

HB897