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SENATE BILL NO. 898
Offered January 12, 2005
Prefiled January 11, 2005
A BILL to amend and reenact § 24.2-121 of the Code of Virginia, relating to defense of electoral board
members and general registrar staff; costs.
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Patron—Norment
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Referred to Committee on Privileges and Elections
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Be it enacted by the General Assembly of Virginia:
1. That § 24.2-121 of the Code of Virginia is amended and reenacted as follows:
§ 24.2-121. Defense of the electoral board, its members, and the general registrar staff; appointment
of counsel.
If any electoral board, any of its members, any general registrar, or any employee of or paid assistant
to a registrar is made defendant in any civil action arising out of the performance of his official duties,
and does not have legal defense provided under applicable insurance coverage, the officer, employee, or
assistant may apply to the ~~circuit court of the county or city in which~~ he ~~serves~~ *Virginia Division of*
Risk Management to assign counsel for his defense in the action. ~~On a showing of good cause, the court~~
~~may issue orders respecting the employment of an attorney or attorneys, including the attorney for the~~
~~Commonwealth, as may be appropriate and fix his compensation. Reimbursement of~~ *In such case, and*
regardless of whether or not the civil action requests monetary damages, the Division shall obtain one
or more attorneys to provide defense for such cause of action, which attorney may be the Attorney
General, the attorney for the Commonwealth of the particular locality served by the defendant, or one
or more private attorneys as may be appropriate. In the case of any private attorney, the Division shall
agree to his compensation. All attorneys' fees and any expenses incurred in the defense of the action
~~may also be allowed by the court. Legal~~ fees ~~and expenses~~ shall be paid from the treasury of the ~~county~~
~~or city except in the case of appointment of the attorney for the~~ Commonwealth *of Virginia.*