

2007 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 2061

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 2, 2007)

(Patrons Prior to Substitute—Delegates McQuigg, Kilgore and Melvin [HB 2992])

A BILL to amend and reenact § 19.2-124 of the Code of Virginia, relating to appeal bonds.

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-124 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-124. Appeal from order denying bail or fixing terms of bond or recognizance.

A. If a judicial officer denies bail to a person, requires excessive bond, or fixes unreasonable terms of a recognizance under this article, the person may appeal therefrom successively to the next higher court or judge thereof, up to and including the Supreme Court of Virginia or any justice thereof where permitted by law.

B. If a court grants bail to a person or fixes a term of recognizance under this article over the objection of the attorney for the Commonwealth, the attorney for the Commonwealth may appeal therefrom successively to the next higher court or judge thereof, up to and including the Supreme Court of Virginia or any justice thereof.

C. *No filing or service fees shall be assessed or collected for any appeal taken pursuant to this section.*

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