

2008 SESSION

INTRODUCED

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HOUSE BILL NO. 75

Offered January 9, 2008

Prefiled December 7, 2007

A *BILL to amend and reenact § 2.2-505 of the Code of Virginia, relating to official opinions of the Attorney General.*

Patron—Toscano

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-505 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-505. Official opinions of Attorney General.

A. The Attorney General shall give his advice and render official advisory opinions in writing only when requested in writing so to do by one of the following: the Governor; a member of the General Assembly; a judge of a court of record or a judge of a court not of record; the State Corporation Commission; an attorney for the Commonwealth; a county, city or town attorney in those localities in which such office has been created; a clerk of a court of record; a city or county sheriff; a city or county treasurer or similar officer; a commissioner of the revenue or similar officer; a chairman or secretary of an electoral board; *the general registrar of a locality*; or the head of a state department, division, bureau, institution or board.

B. Except in cases where an opinion is requested by the Governor or a member of the General Assembly, the Attorney General shall have no authority to render an official opinion unless the question dealt with is directly related to the discharge of the duties of the official requesting the opinion. Any opinion request to the Attorney General by an attorney for the Commonwealth or county, city or town attorney shall itself be in the form of an opinion embodying a precise statement of all facts together with such attorney's legal conclusions.

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