

2009 SESSION

INTRODUCED

090295512

HOUSE BILL NO. 2049

Offered January 14, 2009

Prefiled January 13, 2009

A BILL to amend and reenact § 24.2-238 of the Code of Virginia, relating to removal of public officials; costs.

Patron—Gear

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-238 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-238. Costs.

A. If a judicial proceeding under this article is dismissed in favor of the respondent, the court in its discretion may require the state agency or political subdivision which the respondent serves to pay court costs or reasonable attorney fees, or both, for the respondent.

B. No person who signs a petition for the removal of an official pursuant to § 24.2-233 or who circulates such a petition (i) shall be liable for any costs associated with removal proceedings conducted pursuant to the petition, including attorney fees incurred by any other party or court costs, or (ii) shall have sanctions imposed against him pursuant to § 8.01-271.1.

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