

2009 SESSION

SENATE SUBSTITUTE

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HOUSE BILL NO. 2465

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Privileges and Elections
on February 17, 2009)

(Patron Prior to Substitute—Delegate Morgan)

A BILL to amend and reenact § 24.238 of the Code of Virginia, relating to removal of public officials; costs.

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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