

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 30-5 of the Code of Virginia, relating to continuance of time for filing*
3 *pleading where party connected with General Assembly.*

4
5 Approved

[H 45]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 30-5 of the Code of Virginia is amended and reenacted as follows:**

8 § 30-5. Continuance or time for filing pleading, etc., where party or attorney is connected with
9 General Assembly or Division of Legislative Services.

10 Any party to an action or proceeding in any court, including the Court of Appeals and the Supreme
11 Court of Virginia, commission or other tribunal having judicial or quasi-judicial powers or jurisdiction,
12 who is an officer, employee or member *or member-elect* of the General Assembly; *or* employee of the
13 Division of Legislative Services, or who has, prior to or during the session of the General Assembly,
14 employed or retained to represent him in such action or proceeding an attorney who is *or becomes* an
15 officer, employee or member *or member-elect* of the General Assembly; or employee of the Division of
16 Legislative Services, shall be entitled to a continuance as a matter of right (i) during the period
17 beginning ~~thirty~~ 30 days prior to the commencement of the session and ending ~~thirty~~ 30 days after the
18 adjournment thereof, and (ii) during a period beginning one day prior to the meeting date of any
19 reconvened or veto session or of any commission, council, committee or subcommittee created by the
20 General Assembly at which such officer, employee or member is scheduled to attend and ending one
21 day after the adjournment of such meeting; however, no continuance need be granted under clause (ii)
22 unless it shall have been requested in writing at least three days prior to the first day for which the
23 continuance is sought and filed with the court. The requesting party, when practicable, shall strive to
24 notify all other parties to the proceeding of such request.

25 Any pleading or the performance of any act relating thereto required to be filed or performed by any
26 statute or rule during the period beginning ~~thirty~~ 30 days prior to the commencement of the session and
27 ending ~~thirty~~ 30 days after the adjournment of the session shall be extended until not less than ~~thirty~~ 30
28 days after any such session. The failure of any court, commission or other tribunal to allow such
29 continuance when requested so to do or the returning of such filing or act during the period hereinabove
30 specified shall constitute reversible error; provided that this section shall not prevent the granting of
31 temporary injunctive relief, or the dissolution or extension of a temporary injunction, but the right to
32 such relief shall remain in the sound discretion of the court or other such tribunal.

ENROLLED

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