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HOUSE BILL NO. 138

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 3, 2014)

(Patron Prior to Substitute—Delegate Pogge)

A BILL to amend and reenact §§ 16.1-69.25 and 19.2-44 of the Code of Virginia, relating to magistrates; district court judges; territorial jurisdiction.

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-69.25 and 19.2-44 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-69.25. Judge may issue warrants, summons, and subpoenas.

Except as otherwise provided by general law, a judge of a district court may, within the scope of his general jurisdiction ~~within the area which his court serves~~, issue warrants, summons, and subpoenas, including subpoenas duces tecum or other process, in civil, traffic and criminal cases, to be returned before his court, and may also issue fugitive warrants and conduct proceedings thereon in accordance with the provisions of §§ 19.2-99 through 19.2-104.

§ 19.2-44. Territorial jurisdiction.

A magistrate shall be authorized to exercise the powers conferred *on magistrates* by this title only in the magisterial region or regions for which he is appointed, *except that a magistrate may issue search warrants in accordance with the provisions of Chapter 5 (§ 19.2-52 et seq.) throughout the Commonwealth.* ~~However, a~~ A magistrate may exercise ~~these all~~ powers conferred *on magistrates* by this title throughout the Commonwealth when so authorized by the Executive Secretary upon a determination that such assistance is necessary.

HOUSE
SUBSTITUTE

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