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HOUSE BILL NO. 1310

Offered January 21, 2016

A BILL to amend and reenact § 19.2-76.3 of the Code of Virginia, relating to service of summons.

Patron—Leftwich

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-76.3 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-76.3. Failure to appear on return date for summons issued under § 19.2-76.2.

A. If any person fails to appear on the date of the return contained in the summons issued in accordance with § 19.2-76.2, then a summons shall be delivered to the sheriff of the county, city, or town *or to another authorized process server* for service on that person as set out in § 8.01-296.

B. If such person then fails to appear on the date of return as contained in the summons so issued, a summons shall be executed in the manner set out in § 19.2-76.

C. No proceedings for contempt or arrest of any person summoned under the provisions of this section shall be instituted unless such person has been personally served with a summons and has failed to appear on the return date contained therein.

INTRODUCED

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