

16103628D

HOUSE BILL NO. 994

Offered January 13, 2016

Prefiled January 12, 2016

A *BILL to amend and reenact § 2.2-521 of the Code of Virginia, relating to the Attorney General; investigation of complaint of discrimination; authority to issue and serve subpoenas; enforcement.*

Patron—Lopez

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-521 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-521. Procedure for issuance of subpoenas.

Whenever the Attorney General has reasonable cause to believe that any person has engaged in or is engaging in any unlawful discriminatory practice, he may apply to the judge of the circuit court of the jurisdiction in which the respondent resides or is doing business for a subpoena duces tecum against any person refusing to produce such data and information. The judge of the court, upon good cause shown, may cause the subpoena to be issued. Any person failing to comply with such subpoena shall be subject to punishment for contempt by the court issuing the subpoena. A. *The Attorney General shall have the authority to interview any person who may have any information that may further his investigation of a complaint alleging any unlawful discriminatory practice and to request production of any records or documents for inspection and copying in the possession of any person that may further the investigation.*

B. *The Attorney General shall have the power to issue and serve a subpoena to any such person to appear and testify and to produce any such records or documents for inspection and copying. Such subpoenas and discovery may be ordered to the same extent and subject to the same limitations as would apply if the subpoenas or discovery were ordered or served as part of a civil action in the Commonwealth.*

C. *In the event of a refusal or neglect to obey a subpoena, the Attorney General may petition for its enforcement in the circuit court of the jurisdiction in which the respondent resides or is doing business. The hearing on such petition shall be given priority on the court docket over all cases that are not otherwise given priority on the court docket by law.*

D. For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.

INTRODUCED

HB994