

2017 SESSION

INTRODUCED

17104138D

SENATE BILL NO. 1460

Offered January 16, 2017

A BILL to amend and reenact § 8.01-321 of the Code of Virginia, relating to orders of publication proceeding to enforce lien against certain real property.

Patron—Lucas

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-321 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-321. Orders of publication in proceedings to enforce liens for taxes assessed upon real estate.

Whenever an order of publication is entered in any proceeding brought by any county, city or town to enforce a lien for taxes assessed upon real estate, such order need not be published more than once a week for two successive weeks. The party served by publication shall be required to file a response or appear and protect his interest by the date stated in the order of publication, which shall be not less than ~~twenty-four~~ 24 days after entry of such order. The publication shall in other respects conform to § 8.01-317, and when such publication so conforms, the provisions of § 8.01-318 shall apply.

When the real estate that is the subject of the order of publication has a current assessed value of less than \$50,000, as reflected in the public records of the commissioner of the revenue or the local assessor, the order of publication may be posted for not less than 14 days on the official government website of the locality served by the court or the official website of the clerk of the circuit court in lieu of publication in a newspaper of general circulation. Such posting shall be in addition to the requirement of notice to the taxpayer, the property address, and creditors with an interest in the property as provided by § 58.1-3965.

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