

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 474

An Act to amend and reenact § 8.01-300 of the Code of Virginia, relating to service of process on county attorney.

[S 14]

Approved March 23, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-300 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-300. How process served on municipal and county governments and on quasi-governmental entities.

Notwithstanding the provisions of § 8.01-299 for service of process on other domestic corporations, process shall be served on municipal and county governments and quasi-governmental bodies or agencies in the following manner:

1. If the case be against a city or a town, on its city or town attorney in those cities or towns which have created such a position, otherwise on its mayor, manager or trustee of such town or city; and

2. If the case be against a county, on its county attorney in those counties which have created such a position, otherwise on its attorney for the Commonwealth; and

3. If the case be against any political subdivision, or any other public governmental entity created by the laws of the Commonwealth and subject to suit as an entity separate from the Commonwealth, then on the director, commissioner, chief administrative officer, attorney, or any member of the governing body of such entity; and

4. If the case be against a supervisor, county officer, employee, or agent of the county board, arising out of official actions of such supervisor, officer, employee, or agent, then, in addition to the person named defendant in the case, on ~~each supervisor~~ and the county attorney, if the county has a county attorney, and if there ~~be is~~ no county attorney, on the clerk of the county board.

Service under this section may be made by leaving a copy with the person in charge of the office of any officer designated in subdivisions 1 through 4.