

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 16.1-69.8, 16.1-69.31, 16.1-69.46, 17.1-515.1, 19.2-45, and 19.2-244 of*
 3 *the Code of Virginia and to repeal § 16.1-69.13, Chapter 5 (§§ 16.1-70 through 16.1-75) of Title*
 4 *16.1, and § 17.1-515.2 of the Code of Virginia, Chapter 117 of the Acts of Assembly of 1946, and*
 5 *Chapter 199 of the Acts of Assembly of 1960, relating to venue in criminal cases; concurrent*
 6 *jurisdiction; obsolete provisions.*

7 [H 77]

8 Approved

9 **Be it enacted by the General Assembly of Virginia:**

10 **1. That §§ 16.1-69.8, 16.1-69.31, 16.1-69.46, 17.1-515.1, 19.2-45, and 19.2-244 of the Code of**
 11 **Virginia are amended and reenacted as follows:**

12 **§ 16.1-69.8. Existing courts continued and redesignated; exception.**

13 The present system of courts not of record is continued as follows on and after July 1, 1973:

14 (a) The county court in each county shall continue as the general district court of such county with
 15 the same powers and with territorial jurisdiction over such county and over any city within the county
 16 for which a municipal court with general civil or criminal jurisdiction or separate general district court
 17 has not been established.

18 (b) The municipal court or courts in each city, excluding ~~courts of limited jurisdiction established~~
 19 ~~pursuant to Chapter 5 (§ 16.1-70 et seq.) of this title and juvenile and domestic relations courts,~~ shall
 20 continue as the general district court of the city with the same powers and territorial jurisdiction over
 21 such city; provided that in the case of more than one such municipal court in operation in any city, all
 22 such courts shall be merged on July 1, 1973, and their powers and territorial jurisdiction merged in the
 23 general district court.

24 (c) The juvenile and domestic relations court of each county and city shall continue as the juvenile
 25 and domestic relations district court of the county or city with the same powers and territorial
 26 jurisdiction as heretofore provided.

27 (d) The municipal court of any town and/or other court of any town having general civil and
 28 criminal jurisdiction however called shall be abolished and all jurisdiction and power conferred upon any
 29 such court shall pass to and be exercised by the district courts having jurisdiction over the county
 30 wherein the town is located.

31 **§ 16.1-69.31. The duties of the Judicial Council.**

32 The duties of the Judicial Council with respect to the district court system shall include those set
 33 forth in §§ 16.1-69.6 through ~~16.1-69.13~~ 16.1-69.12, and such other duties as may be assigned to the
 34 Council by law.

35 **§ 16.1-69.46. How salaries payable.**

36 All salaries determined according to the provisions of §§ 16.1-69.44 and 16.1-69.45 and any salary
 37 payment required by § ~~16.1-69.13~~ or 16.1-69.37 shall be payable by the Commonwealth, except any
 38 supplements paid to district court employees. All annual salaries shall be paid in semimonthly
 39 installments within the limits fixed by the Committee.

40 **§ 17.1-515.1. Territorial jurisdiction of the Circuit Court for the City of Lynchburg.**

41 The territorial jurisdiction of the Circuit Court for the City of Lynchburg ~~shall be the same with that~~
 42 ~~of the Corporation Court for the city and~~ shall extend to the corporate limits of the city and to a space
 43 of one mile without and around the city limits, except that the same shall not extend further into the
 44 County of Amherst than the corporate limits. Any judgment, order, or decree of the Circuit Court for the
 45 City of Lynchburg heretofore made in any case in which the court would have had jurisdiction had this
 46 section then been in operation shall have the same effect as if it had been at that time in force.

47 **§ 19.2-45. Powers enumerated.**

48 A magistrate shall have the following powers only:

- 49 (1) To issue process of arrest in accord with the provisions of §§ 19.2-71 to 19.2-82 of the Code;
- 50 (2) To issue search warrants in accord with the provisions of §§ 19.2-52 to 19.2-60 of the Code;
- 51 (3) To admit to bail or commit to jail all persons charged with offenses subject to the limitations of
 52 and in accord with general laws on bail;
- 53 (4) The same power to issue warrants and subpoenas as is conferred upon district courts and as
 54 limited by the provisions of §§ 19.2-71 through 19.2-82. A copy of all felony warrants issued at the
 55 request of a citizen shall be promptly delivered to the attorney for the Commonwealth for the county or
 56 city in which the warrant is returnable. Upon the request of the attorney for the Commonwealth, a copy

57 of any misdemeanor warrant issued at the request of a citizen shall be delivered to the attorney for the
58 Commonwealth for such county or city. All attachments, warrants and subpoenas shall be returnable
59 before a district court ~~or any court of limited jurisdiction continued in operation pursuant to § 16.1-70.1;~~

60 (5) To issue civil warrants directed to the sheriff or constable of the county or city wherein the
61 defendant resides, together with a copy thereof, requiring him to summon the person against whom the
62 claim is, to appear before a district court on a certain day, not exceeding 30 days from the date thereof
63 to answer such claim. If there be two or more defendants and any defendant resides outside the
64 jurisdiction in which the warrant is issued, the summons for such defendant residing outside the
65 jurisdiction may be directed to the sheriff of the county or city of his residence, and such warrant may
66 be served and returned as provided in § 16.1-80;

67 (6) To administer oaths and take acknowledgments;

68 (7) To act as conservators of the peace;

69 (8), (9) [Repealed.]

70 (10) To perform such other acts or functions specifically authorized by law.

71 **§ 19.2-244. Venue in general.**

72 A. Except as otherwise provided by law, the prosecution of a criminal case shall be had in the
73 county or city in which the offense was committed. Except as to motions for a change of venue, all
74 other questions of venue must be raised before verdict in cases tried by a jury and before the finding of
75 guilty in cases tried by the court without a jury.

76 B. If an offense has been committed within the Commonwealth and it cannot readily be determined
77 within which county or city the offense was committed, venue for the prosecution of the offense may be
78 had in the county or city (i) in which the defendant resides; (ii) if the defendant is not a resident of the
79 Commonwealth, in which the defendant is apprehended; or (iii) if the defendant is not a resident of the
80 Commonwealth and is not apprehended in the Commonwealth, in which any related offense was
81 committed.

82 C. *The courts of a locality shall have concurrent jurisdiction with the courts of any other locality*
83 *adjoining such locality over criminal offenses committed in or upon the premises, buildings, rooms, or*
84 *offices owned or occupied by such locality or any officer, agency, or department thereof that are located*
85 *in the adjoining locality.*

86 **2. That § 16.1-69.13, Chapter 5 (§§ 16.1-70 through 16.1-75) of Title 16.1, and § 17.1-515.2 of the**
87 **Code of Virginia are repealed.**

88 **3. That Chapter 117 of the Acts of Assembly of 1946 and Chapter 199 of the Acts of Assembly of**
89 **1960 are repealed.**