

19103353D

HOUSE BILL NO. 1955

Offered January 9, 2019

Prefiled January 6, 2019

A *BILL to amend and reenact § 8.01-682 of the Code of Virginia, relating to appellate damages.*

Patron—Campbell, J.L.

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-682 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-682. What damages awarded appellee.

When any judgment is affirmed, *whether in whole or in part*, damages shall be awarded to the appellee *on the portion of the judgment affirmed*. When the judgment is for the payment of money, the damages shall be the interest to which the party is legally entitled, as provided in § 6.2-302 or any other provision of law, from the date of filing the notice of appeal until the date the appellate court issues its mandate. Such interest shall be computed upon the whole amount of the recovery *affirmed*, including interest and costs, and such damages shall be in satisfaction of all interest during such period of time. When the judgment is not for the payment of any money, except costs, the damages shall be such specific sum as the appellate court may deem reasonable, not being more than \$2,500 nor less than \$150.

INTRODUCED

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