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HOUSE BILL NO. 2193

Offered January 13, 2021

Prefiled January 13, 2021

A *BILL to amend the Code of Virginia by adding in Chapter 16 of Title 8.01 a section numbered 8.01-425.2, relating to settlement agreements; indication of contingent dismissal.*

Patrons—Leftwich and Heretick

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 16 of Title 8.01 a section numbered 8.01-425.2 as follows:

§ 8.01-425.2. Settlement agreements; indication of contingent dismissal.

A. In any case in which a creditor is seeking a money judgment against a debtor, if the parties indicate that they have entered into a written settlement agreement, upon request of such parties, the court shall indicate that a dismissal of such case is contingent upon compliance with such settlement agreement and provide for a continuance of such case to allow for full payment pursuant to the terms of such agreement.

B. It shall be the duty of the creditor, himself, or by his duly authorized attorney or other agent, to file a motion to dismiss with the court indicating that the debtor has complied with the terms of such settlement agreement and made full payment pursuant to the terms of such settlement agreement after such compliance and full payment occurs. Such dismissal order shall be signed by the debtor or his duly authorized attorney or other agent.

C. If the debtor is in default of any term of such written settlement agreement, the creditor may file a motion to enforce the terms of such settlement agreement through entry of judgment or other appropriate relief.

INTRODUCED

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