

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 32

An Act to amend and reenact § 8.01-266 of the Code of Virginia, relating to change of venue.

[H 199]

Approved March 7, 1994

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-266 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-266. Costs.

In any action which is transferred or retained for trial pursuant to this chapter, the court in which the action is initially brought ~~shall~~ *may* award an amount necessary to compensate a party for such inconvenience, expense, and delay as he may have been caused by the commencement of the suit in a forum to which an objection, pursuant to § 8.01-264, is sustained or by the bringing of a frivolous motion to transfer. In addition, the court may award those attorney's fees deemed just and reasonable which are occasioned by such commencement of a suit or by such motion to transfer. The awarding of such costs by the transferor court shall not preclude the assessment of costs by the clerk of the transferee court.