

# VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

## CHAPTER 933

*An Act to amend and reenact § 19.2-76 of the Code of Virginia, relating to service of criminal summons on corporation.*

[H 1011]

Approved April 20, 1994

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

**1. That § 19.2-76 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-76. Execution and return of warrant or summons; arrest outside county or city where charge is to be tried.

An officer may execute within his jurisdiction a warrant or summons issued anywhere in the Commonwealth. A warrant shall be executed by the arrest of the accused, and a summons shall be executed by delivering a copy to the accused personally; ~~or, if the accused be a corporation, by delivering a copy to an officer or director personally.~~

*If the accused is a corporation, partnership, unincorporated association or legal entity other than an individual, a summons may be executed by service on such entity in the same manner as provided in Title 8.01 for service of process on that entity in a civil proceeding. However, if the summons is served on such entity by delivery to a registered agent or to any other agent who is not an officer, director, managing agent or employee of the entity, such registered or other agent shall not be personally subject to penalty for failure to appear as provided in § 19.2-128, nor shall such agent be subject to punishment for contempt for failure to appear under his summons as provided in § 19.2-129.*

The officer executing a warrant shall endorse the date of execution thereon and make return thereof to a judicial official having authority to grant bail. The officer executing a summons shall endorse the date of execution thereon and make return thereof to the court to which the summons is returnable.

Whenever a person is arrested upon a warrant in a county or city contiguous to the county or city in which the charge is to be tried, the officer making the arrest may deliver the accused to the custody of an officer of a law-enforcement agency having jurisdiction in the county or city in which the charge is to be tried, or he may bring the accused before a judicial officer to be dealt with as is provided hereinafter.

Whenever a person is arrested upon a warrant in a county or city other than that in which the charge is to be tried, or in a county or city contiguous thereto, the officer making the arrest shall bring the accused before a judicial officer authorized to grant bail in the county or city in which the accused is arrested. Such official shall either commit the accused to the custody of an officer for transfer forthwith to the county or city where the charge is to be tried, or admit the accused to bail or commit him to jail for transfer as soon as possible; and such official shall endorse on the warrant the action taken thereon.