

LD7004753

SENATE BILL NO. 253

Offered January 25, 1994

A *BILL to amend and reenact § 58.1-3376 of the Code of Virginia, relating to organization and assistants of the board of equalization.*

Patrons—Walker; Delegates: Copeland, Heilig and Moss

Referred to the Committee on Finance

Be it enacted by the General Assembly of Virginia:**1. That § 58.1-3376 of the Code of Virginia is amended and reenacted as follows:**

§ 58.1-3376. Organization and assistants; legal assistance.

A. Every board of equalization shall elect one of its members as chairman and another as secretary, and may employ necessary clerical and other assistants and call in advisors and fix their compensation, subject to the approval of the governing body of the county or city, to be paid out of the local treasury.

B. *When the board of equalization, in fulfilling its functions, desires legal advice, the board shall request such advice from the attorney for the city or county for which they were appointed.*

Notwithstanding any contrary provision of law, general or special, such attorney shall in a timely manner give his advice to the board.

If there is no such attorney or the attorney has a conflict, the board shall make a written request to the city or county governing body to employ an attorney to advise the board. The governing body shall respond in writing within ten days from receipt of such request.

If the governing body refuses to honor the board's request, then the board shall apply to the circuit court that appointed it. The judge of such circuit court may authorize the employment of an attorney to advise the board and order that the attorney be paid out of the local treasury.

INTRODUCED

SB253