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HOUSE BILL NO. 2202

Offered January 23, 1995

A BILL to amend and reenact §§ 8.01-607 and 26-8 of the Code of Virginia, relating to commissioners in chancery and commissioners of accounts.

Patrons—Wardrup, Bloxom, Cantor, Dudley, McDonnell, Wagner and Way

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-607 and 26-8 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-607. Appointment and removal.

Each circuit court shall, from time to time, appoint such commissioners in chancery as may be deemed necessary for the convenient dispatch of the business of such court. Such commissioners shall be removable at pleasure. *No member of the General Assembly shall be appointed a commissioner in chancery.*

§ 26-8. Commissioners of accounts.

The judges of each circuit court shall appoint so many commissioners of accounts, as may be requisite to carry out the duties of that office, who shall be removable at pleasure and who shall have a general supervision of all fiduciaries admitted to qualify in such court or before the clerk thereof and make all ex parte settlements of their accounts. The person appointed as a commissioner of accounts shall be a discreet and competent attorney-at-law; however, if no such attorney be found willing to serve, the court shall appoint some other discreet and proper person. *In either event, no member of the General Assembly shall be appointed a commissioner of accounts.* Any individual holding the office of commissioner of accounts upon July 1, 1973, shall continue therein at the pleasure of the court or until his retirement or death.

In the event more than one such commissioner is appointed, each commissioner shall maintain his own office and keep his own books, records and accounts. He shall retain the power of supervision over every account, matter or thing referred to him until his final account is approved, unless he shall resign, retire or be removed from office, in which case his successor shall continue such duties.

2. That the provisions of this act shall apply prospectively. Any member of the General Assembly holding the office of commissioner in chancery or commissioner of accounts at the time this act takes effect shall continue therein at the pleasure of the court or until his retirement, resignation, or death.

INTRODUCED

HB2202