

1997 SESSION

INTRODUCED

971519837

HOUSE BILL NO. 1692

Offered January 8, 1997

Prefiled January 8, 1997

A BILL to amend and reenact § 8.01-293 of the Code of Virginia, relating to limitations on use of private process servers.

Patron—Davies

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-293 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-293. Who to serve process.

The following persons are authorized to serve process:

1. The sheriff within such territorial bounds as described in § 8.01-295; or

2. Any person of age eighteen years or older and who is not a party or otherwise interested in the subject matter in controversy.

Whenever in this Code the term "officer" or "sheriff" is used to refer to persons authorized to make, return or do any other act relating to service of process, such term shall be deemed to refer to any person authorized by this section to serve process. *However, only a sheriff or high constable within such territorial bounds described in § 8.01-295 may (i) levy on property; (ii) execute an order or writ of possession for personal, real or mixed property, including an order or writ of possession, arising out of an action in unlawful entry and detainer or ejectment; or (iii) serve any show cause or capias; except that a private process server may serve a civil, show-cause summons in any civil proceeding.*

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