

1997 SESSION

SENATE SUBSTITUTE

971637362

HOUSE BILL NO. 2321

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 12, 1997)

(Patron Prior to Substitute—Delegate Moran)

A BILL to amend and reenact § 8.01-513 of the Code of Virginia, relating to service upon corporations.

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-513 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-513. Service upon corporation.

~~Notwithstanding the provisions of §§ 13.1-637, 13.1-766, 13.1-836 and 13.1-928, if~~ *If* the person upon whom there is a suggestion of liability as provided in § 8.01-511 is a corporation, the summons shall be served upon an officer, ~~or managing employee of the corporation other than an officer of the corporation, unless the judgment creditor shall file with the court a certificate that he has used due diligence and that no such officer or managing employee of the corporation other than an officer or other person authorized to accept such service can be found within the Commonwealth, in which case such summons shall be served on the registered agent of the corporation or upon the clerk of the State Corporation Commission as is otherwise provided by law. Provided, however, that service on the corporation shall not be made upon a managing employee of such corporation if such managing employee is also the judgment debtor.~~

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