

# VIRGINIA ACTS OF ASSEMBLY -- 1998 RECONVENED SESSION

## CHAPTER 773

*An Act to amend and reenact § 19.2-158 of the Code of Virginia, relating to court appearance of a person not free on bail.*

[S 100]

Approved April 22, 1998

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

**1. That § 19.2-158 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-158. When person not free on bail shall be informed of right to counsel and amount of bail.

Every person charged with an offense described in § 19.2-157, who is not free on bail or otherwise, shall be brought before the judge of a court not of record, *unless the circuit court issues process commanding the presence of the person, in which case the person shall be brought before the circuit court*, on the first day on which such court sits after the person is charged, at which time the judge shall inform the accused of the amount of his bail and his right to counsel. *If the court not of record sits on a day prior to the scheduled sitting of the court which issued process, the person shall be brought before the court not of record.*

No hearing on the charges against the accused shall be had until the foregoing conditions have been complied with, and the accused shall be allowed a reasonable opportunity to employ counsel of his own choice, or, if appropriate, the statement of indigence provided for in § 19.2-159 may be executed.