

1998 SESSION

INTRODUCED

981970362

HOUSE BILL NO. 1145

Offered January 26, 1998

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

Patrons—Moran, Abbitt, Armstrong and Woodrum; Senator: Edwards

Referred to Committee for Courts of Justice

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.

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 ~~the~~ *an officer, a registered agent of the corporation or, or a person or persons designated by the corporation by instrument in writing, acknowledged before a notary public, to accept service of garnishment process. Whenever a person so designated by the corporation as provided herein accepts service of garnishment process, a photographic copy of the instrument designating such person shall be attached to the return. If the judgment creditor or his attorney files with the court a certificate that he has used due diligence and that no such officer or person or persons designated by the corporation to accept service of garnishment process can be found within the Commonwealth, or if the corporation has failed to appoint or maintain a registered agent, or its registered agent could not with due diligence be found at the corporation's registered office, then service shall be upon the clerk of the State Corporation Commission as is otherwise provided by law provided in § 12.1-19.1.*

2. That an emergency exists and this act is in force from its passage.

INTRODUCED

HB1145