

1998 SESSION

INTRODUCED

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SENATE BILL NO. 102

Offered January 14, 1998

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

Patron—Edwards

Referred to the 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.

¶ Notwithstanding the provisions of §§ 13.1-637, 13.1-766, 13.1-836 and 13.1-928, 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, director, managing employee or registered agent of the corporation or, unless the judgment creditor files with the court a certificate that he has used due diligence and that no such person authorized to accept such service can be found within the Commonwealth, in which case such summons shall be served upon the clerk of the State Corporation Commission as is otherwise provided by law. Service on the corporation shall not be made upon a person who is also the judgment debtor.

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

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SB102