

2006 SESSION

INTRODUCED

060476308

HOUSE BILL NO. 882

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend and reenact § 53.1-223 of the Code of Virginia, relating to restrictions on suits against prisoners.*

Patron—Griffith

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-223 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-223. Restriction on suits against prisoners.

No action or suit on any claim or demand, except suits for divorce, actions to establish a parent and child relationship between a child and a prisoner and actions to establish a prisoner's child support obligation, shall be ~~instituted~~ *maintained* against a prisoner after judgment of conviction and while he is incarcerated, except through his committee, *unless a guardian ad litem is appointed for the prisoner pursuant to § 8.01-9, or an attorney licensed to practice law in the Commonwealth has entered of record an appearance for such prisoner.* However, in any suit for divorce instituted against a prisoner, the court shall appoint a committee prior to any determination as to the property of the parties under § 20-107.3.

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HB882