

2016 SESSION

INTRODUCED

16101462D

HOUSE BILL NO. 105

Offered January 13, 2016

Prefiled December 15, 2015

A *BILL to amend and reenact § 24.2-808 of the Code of Virginia, relating to contests of election for certain elections; service of process.*

Patron—O'Bannon

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-808 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-808. Time of filing and service of complaint; enlargement or amendment of complaint.

The contestant shall file his complaint in the clerk's office of the circuit court within ~~thirty~~ 30 days following the date of the election in the case of a general election, and within ~~ten~~ 10 days following the date of the election in case of a primary election or special election held on a date other than that of a general election. A copy of the complaint shall be served by the contestant as provided under § 8.01-296 on each contestee; otherwise the complaint shall not be valid. *For a contest conducted pursuant to § 24.2-806, the copy of the complaint shall be served by the contestant on each contestee within 30 days following the date of the election in the case of a general election and within 10 days following the date of the election in the case of a primary or special election held on a date other than that of a general election.*

No enlargement or amendment of the complaint, except as to form, shall be permitted save by leave of court as provided in Rule 1:8 of the Rules of the Supreme Court of Virginia.

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