

# 2016 SESSION

INTRODUCED

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## HOUSE BILL NO. 744

Offered January 13, 2016

Prefiled January 12, 2016

A *BILL to amend and reenact § 24.2-121 of the Code of Virginia, relating to electoral boards and general registrars; legal defense.*

Patron—Farrell

Referred to Committee for Courts of Justice

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

1. That § 24.2-121 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-121. Defense of the electoral board, its members, and the general registrar staff; appointment of counsel.

If any electoral board, any of its members, any general registrar, or any employee of or paid assistant to a registrar is made defendant *or is subpoenaed* in any civil action arising out of the performance of his official duties, and does not have legal defense provided under applicable insurance coverage, the officer, employee, or assistant may apply to the Virginia Division of Risk Management to assign counsel for his defense in the action. In such case, and regardless of whether or not the civil action seeks monetary damages, the Division shall obtain one or more attorneys to defend such action, which attorney may be the Attorney General, the attorney for the Commonwealth of the particular locality served by the defendant, or one or more private attorneys as may be appropriate. In the case of any private attorney, the Division shall determine the appropriate rate of compensation. All private attorneys' fees and any expenses incurred in the defense of the action shall be paid from the treasury of the Commonwealth of Virginia.

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