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HOUSE BILL NO. 1589

House Amendments in [] — January 25, 2017

A BILL to amend and reenact § 8.01-317 of the Code of Virginia, relating to order of publication; use of electronic medium.

Patron Prior to Engrossment—Delegate Campbell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-317 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-317. What order of publication to state; how published; when publication in newspaper dispensed with; electronic medium.

Except in condemnation actions, every order of publication shall give the abbreviated style of the suit, state briefly its object, and require the defendants, or unknown parties, against whom it is entered to appear and protect their interests on or before the date stated in the order, which shall be no sooner than ~~five~~ 50 days after entry of the order of publication. Such order of publication shall be published once each week for four successive weeks in such newspaper as the court may prescribe, or, if none be so prescribed, as the clerk may direct, and shall be posted at the front door of the courthouse wherein the court is held; also a copy of such order of publication shall be mailed to each of the defendants at the post office address given in the affidavit required by § 8.01-316. The clerk shall cause copies of the order to be so posted, mailed, and transmitted to the designated newspaper within ~~twenty~~ 20 days after the entry of the order of publication. Upon completion of such publication, the clerk shall file a certificate in the papers of the case that the requirements of this section have been complied with. Provided, the court may, in any case where deemed proper, dispense with such publication in a newspaper. *For good cause shown, the court may direct that such order of publication [~~also~~ may instead] be electronically posted using an electronic medium designated by the court.* The cost of such publication shall be paid by the petitioner or applicant.

ENGROSSED

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