

VIRGINIA ACTS OF ASSEMBLY -- 2022 RECONVENED SESSION

CHAPTER 702

An Act to amend and reenact § 25.1-247.1 of the Code of Virginia, relating to eminent domain; payment of judgment; attorney fees.

[S 9]

Approved April 27, 2022

Be it enacted by the General Assembly of Virginia:

1. That § 25.1-247.1 of the Code of Virginia is amended and reenacted as follows:

§ 25.1-247.1. Distribution of funds to owner or owner's attorney.

Notwithstanding any other provision of this chapter, upon any settlement or final determination resulting in a judgment for the owner, whether funds have been paid into the court or are outstanding, all such funds due and owing shall be payable to the owner or, if the owner consents, to the owner's attorney within 30 days of the settlement or final determination, unless otherwise subject to § 25.1-240, 25.1-241, 25.1-243, or 25.1-250. Nothing in this section shall be construed to alter the priority of liens or any obligation to satisfy or release any outstanding liens on the property or the funds. *The failure to pay these sums within 30 days to the property owner, as specified herein, shall result in an award of attorney fees and interest at the judgment rate from the date the funds became due and owing. The provisions of this section and its remedies shall apply to any condemnation action whether such action arises under this title or under Title 33.2.*