

2023 SESSION

INTRODUCED

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SENATE BILL NO. 1495

Offered January 20, 2023

A *BILL to amend the Code of Virginia by adding a section numbered 15.2-2208.2, relating to local enforcement action; willful disregard for applicable law; damages.*

Patron—Surovell

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2208.2 as follows:

§ 15.2-2208.2. *Damages for an enforcement action undertaken by a locality with willful disregard for applicable law.*

A. Notwithstanding any other provision of law, general or special, any person aggrieved by an enforcement action by a locality, where the enforcement action was based upon a willful disregard for applicable law, regulation, or ordinance, shall be entitled to an award of compensatory damages and to an order remanding the matter to the locality with a direction to terminate such enforcement and may be entitled to reasonable attorney fees and court costs.

B. Any action brought pursuant to this section shall be filed with the general district court having jurisdiction of the person affected, and the court shall hear and determine the case as soon as practical.

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