

2023 SESSION

INTRODUCED

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SENATE BILL NO. 810

Offered January 11, 2023

Prefiled December 13, 2022

A BILL to amend and reenact § 8.01-626 of the Code of Virginia, relating to review of injunction; petitions for review.

Patron—Petersen

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-626 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-626. Review of injunction; petitions for review.

When a circuit court (i) grants a preliminary or permanent injunction, (ii) refuses such an injunction, (iii) having granted such an injunction, dissolves or refuses to enlarge it, or (iv) enters an order reviewable pursuant to subsection B of § 8.01-675.5, an aggrieved party may file a petition for review with the clerk of the Supreme Court within 15 days of the circuit court's order.

The clerk shall assign the petition to a three-justice panel of the Supreme Court. The aggrieved party shall serve a copy of the petition for review on the counsel for the opposing party, which may file a response within ~~seven~~ 15 days from the date of service unless *otherwise determined* by the court ~~determines a shorter time frame~~. The petition for review shall be accompanied by a copy of the proceedings before the circuit court, including the original papers and the circuit court's order respecting the injunction. The Supreme Court may take such action thereon as it considers appropriate under the circumstances of the case.

Nothing in this section shall be construed to prevent the Supreme Court from resolving a petition for review by an order joined by more than three justices.

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