

1996 SESSION

INTRODUCED

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HOUSE BILL NO. 962

Offered January 22, 1996

A *BILL to amend and reenact § 9-6.14:19 of the Code of Virginia, relating to the Administrative Process Act; court judgments.*

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Patron—Robinson

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Referred to Committee for Courts of Justice

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

**1. That § 9-6.14:19 of the Code of Virginia is amended and reenacted as follows:**

§ 9-6.14:19. Court judgments.

Unless an error of law as defined in § 9-6.14:17 appears, the court shall dismiss the review action or affirm the agency regulation or decision. Otherwise, it may compel agency action unlawfully and arbitrarily withheld or unreasonably delayed except that the court shall not itself undertake to supply agency action committed by the basic law to the agency. Where a regulation or case decision is found by the court to be not in accordance with law under § 9-6.14:17, the court shall (i) suspend or set it aside and remand the matter to the agency for such further proceedings, if any, as the court may permit or direct in accordance with law; (ii) *try the matter de novo*; or (iii) *in instances of manifest injustice, modify the decision of the agency.*

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