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SENATE BILL NO. 212

Senate Amendments in [] — January 26, 1996

A BILL to allow certain counties with a human rights commission to subpoena witnesses.

Patrons—Whipple, Howell and Ticer

Referred to the Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. § 1. The county board of any county [~~with a population between 100,000 and 200,000~~ operating under a county manager plan of government] which has established a local commission on human rights, may provide by ordinance that whenever the commission has reasonable cause to believe that any person has engaged in or is engaging in a violation of an authorized local human rights ordinance, and after making a good faith effort to obtain, voluntarily, the attendance of witnesses necessary to determine whether such violation occurred, the commission is unable to obtain such attendance, it may request the county attorney, with the approval of the county board, to apply to the judge of the circuit court for the locality in which the witness resides or is doing business for a subpoena against such person refusing to appear as a witness, and the judge of such court may, upon good cause shown, cause the subpoena to be issued. Such ordinance shall provide that any witness subpoena so issued shall include a statement that any statements made will be under oath and the witness is entitled to be represented by an attorney. Such ordinance shall further provide that any person failing to comply with such subpoena so issued shall be subject to punishment for contempt by the court issuing the subpoena, and that any person so subpoenaed may apply to the judge who issued a subpoena to quash it.

ENGROSSED

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