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SENATE BILL NO. 531

Offered January 13, 2010

Prefiled January 13, 2010

A BILL to amend and reenact § 15.2-1627.3 of the Code of Virginia, relating to fees for attorneys for the Commonwealth and city attorneys in criminal cases.

Patron—McDougle

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1627.3 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1627.3. Attorneys for the Commonwealth and city attorneys; in criminal cases; when no costs or fees taxed.

The fees of attorneys for the Commonwealth in all felony and misdemeanor cases in which there is a conviction and sentence not set aside on appeal or a judgment for costs against the prosecutor, and for expenditures made in the discharge of his duties shall be as follows:

For each trial of a single count felony indictment, ~~fifteen dollars~~ \$40.

For each trial of a multiple count felony indictment, ~~fifteen dollars~~ \$40 per count.

For each person tried for a misdemeanor in his circuit court, ~~five dollars~~ \$15, and for each person prosecuted by him before such court of his county or city for a misdemeanor, which he is required by law to prosecute, or upon an indictment found by a grand jury, ~~five dollars~~ \$15, and in every misdemeanor case so prosecuted the court or judge shall tax in the costs and enter judgment for such misdemeanor fee.

No attorney for the Commonwealth or city attorney shall receive a fee for appearing in misdemeanor cases before a district court notwithstanding any provision of law to the contrary.

No costs or fees shall be taxed for, or in any way allowed to, an attorney for the Commonwealth of any city or county or a city attorney of any city in any case, unless he in person, or by a duly authorized assistant, actually appears and prosecutes the proceedings before the court.

INTRODUCED

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