

# VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

## CHAPTER 92

*An Act to amend and reenact § 19.2-163.01:1 of the Code of Virginia, relating to public defender; local funding for positions.*

[H 223]

Approved April 6, 2026

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

**1. That § 19.2-163.01:1 of the Code of Virginia is amended and reenacted as follows:**

**§ 19.2-163.01:1. Supplementing compensation of public defender.**

A. The governing body of any county or city may supplement the compensation of the public defender or any of his deputies or employees above the compensation fixed by the executive director, *or fund positions*, in such amounts as it may deem expedient. Such additional compensation *or funding for positions* shall be wholly payable from the funds of any such county or city.

B. Due to the privileged and protected nature of the attorney-client relationship and the statutory scope of representation provided in §§ 19.2-157 and 19.2-163.3, no county or city providing a supplement to compensation *or funding for positions* under this section shall place any condition or requirement upon the receipt of such funds.

C. Funds provided by any county or city under this section may be paid directly to the Indigent Defense Commission or to the employees with notice to the Indigent Defense Commission of any amount so provided. The Commission shall provide the supplementing funds directly to employees in combination with the compensation fixed by the executive director.