

## 2002 SESSION

### HOUSE SUBSTITUTE

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#### HOUSE BILL NO. 457

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice  
on January 25, 2002)

(Patron Prior to Substitute- Delegate Griffith)

*A BILL to amend and reenact § 19.2-267 of the Code of Virginia, relating to subpoena for the production of documents and things.*

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

**1. That § 19.2-267 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-267. Provisions applicable to witnesses in criminal as well as civil cases; obligation to attend; summons; subpoena for the production of documents and things.

A. Sections 8.01-396.1, 8.01-402, 8.01-405 and 8.01-407 to 8.01-410, inclusive, shall apply to a criminal as well as a civil case in all respects, except that a witness in a criminal case shall be obliged to attend, and may be proceeded against for failing to do so, although there may not previously have been any payment, or tender to him of anything for attendance, mileage, or tolls. In a criminal case a summons for a witness may be issued by the attorney for the Commonwealth or other attorney charged with the responsibility for the prosecution of a violation of any ordinance; however, any attorney who issues such a summons shall, at the time of the issuance, file with the clerk of the court the names and addresses of such witnesses.

B. *When a subpoena for the production of documents and things has been issued pursuant to this section, the individual or entity in control of the requested information shall produce a tangible copy of the information and if the information is unobtainable, then the parties shall have access to a computer or other means of viewing the information during reasonable business hours.*

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