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HOUSE BILL NO. 118

House Amendments in [] — January 28, 2004

A BILL to amend and reenact § 19.2-66 of the Code of Virginia, relating to when Attorney General may apply for wiretap orders.

Patron Prior to Engrossment—Delegate Albo

Referred to Committee for Courts of Justice**Be it enacted by the General Assembly of Virginia:****1. That § 19.2-66 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-66. When Attorney General or Chief Deputy Attorney General may apply for order authorizing interception of communications.

The Attorney General or Chief Deputy Attorney General, if the Attorney General so designates in writing, in any case where the Attorney General is authorized by law to prosecute or pursuant to a request in his official capacity of an attorney for the Commonwealth in any city or county, may apply to a judge of competent jurisdiction for the jurisdiction where the proposed intercept is to be made for an order authorizing the interception of wire, electronic or oral communications by the Department of State Police, when such interception may reasonably be expected to provide evidence of the commission of a felonious offense of extortion, bribery, kidnapping, murder, any felony violation of § 18.2-248 or § 18.2-248.1, any felony violation of Chapter 29 (§ 59.1-364 et seq.) of Title 59.1, any felony violation of Article 2 (§ 18.2-38 et seq.), Article 2.1 (§ 18.2-46.1 et seq.), Article 2.2 (§ 18.2-46.4 et seq.), [~~Article 4 (§ 18.2-51 et seq.),~~] Article 5 (§ 18.2-58 et seq.), Article 6 (§ 18.2-59 et seq.) or [any felonies that are not Class 6 felonies in] Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or any conspiracy to commit any of the foregoing offenses. The Attorney General or Chief Deputy Attorney General may apply for authorization for the observation or monitoring of the interception by a police department of a county or city or by law-enforcement officers of the United States. Such application shall be made, and such order may be granted, in conformity with the provisions of § 19.2-68. Application for installation of a mobile interception device may be made to and granted by any court of competent jurisdiction in the Commonwealth.

ENGROSSED

HB118E