

2004 SESSION

HOUSE SUBSTITUTE

040570484

HOUSE BILL NO. 49

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 13, 2004)

(Patron Prior to Substitute—Delegate Reese)

*A BILL to amend and reenact § 8.01-417 of the Code of Virginia, relating to providing documents to
opposing party.*

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-417 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-417. Copies of written statements or transcriptions of verbal statements by injured person to
be delivered to him, copies of subpoenaed documents to be provided to opposing party.

A. Any person who takes from a person who has sustained a personal injury a signed written
statement or voice recording of any statement relative to such injury shall deliver to such injured person
a copy of such written statement forthwith or a verified typed transcription of such recording within
thirty days from the date such statement was given or recording made, when and if the statement or
recording is transcribed or in all cases when requested by the injured person or his attorney.

B. When one party to a civil proceeding subpoenas documents concerning another party that
otherwise are not available to either party, the subpoenaing party, upon receipt of the subpoenaed
documents, shall, if requested, provide true and full copies of the same to any other party or to the
attorney for any other party, provided the other party or attorney for the other party pays the
reasonable cost of copying or reproducing the subpoenaed documents. This provision does not apply
where the subpoenaed documents are returnable to and maintained by the clerk of court in which the
action is pending.

HOUSE
SUBSTITUTE

HB49H1