

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Chapter 14 of Title 8.01 an article numbered 2.1,*
3 *consisting of a section numbered 8.01-391.1, relating to the creation of the Check Clearing for the*
4 *21st Century Evidence Act.*

5 [H 1009]

6 Approved

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

8 **1. That the Code of Virginia is amended by adding in Chapter 14 of Title 8.01 an article**
9 **numbered 2.1, consisting of a section numbered 8.01-391.1 as follows:**

10 *Article 2.1.*11 *Check Clearing for the 21st Century Evidence Act.*12 *§ 8.01-391.1. Substitute checks as evidence.*

13 *A. A substitute check created pursuant to the federal Check Clearing for the 21st Century Evidence*
14 *Act (Check 21 Act), 12 U.S.C. § 5001 et seq., shall be admissible in evidence in any legal proceeding,*
15 *civil or criminal, to the same extent the original check would be.*

16 *B. A document received from a banking institution that is designated as a "substitute check" and that*
17 *bears the legend "This is a legal copy of your check. You can use it the same way you would use the*
18 *original check" shall be presumed to be a substitute check created pursuant to the Check 21 Act.*

19 *C. Any person who shall forge a substitute check or utter or attempt to employ as true any forged*
20 *substitute check shall be punished as provided in § 18.2-172.*

21 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
22 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
23 **be determined for periods of imprisonment in state adult correctional facilities and is \$0 for**
24 **periods of commitment to the custody of the Department of Juvenile Justice.**

ENROLLED

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