

2006 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 1559

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Delegate Bell

on February 13, 2006)

(Patron Prior to Substitute—Delegate Bell)

A BILL to amend the Code of Virginia by adding a section numbered 8.01-226.11, relating to civil immunity for witnesses in criminal cases.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01-226.11 as follows:

§ 8.01-226.11. Civil immunity for a witness in a criminal case.

No person shall be liable in a civil action for any misidentification of a person made in the course of a criminal investigation or proceeding as long as the misidentification was made with the good faith belief in its veracity and authenticity.

This section shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law.

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